NORTH Dakota | Environmental Quality
Be Legendary.

December 30, 2020

Deb Thomas, EPA Regional VIII Administrator
EPA Region VIII
1595 Wynkoop Street
Denver, CO 80202-1129

ATTN: Anthony DeLoach

Dear Ms. Thomas:

Enclosed please find the FY 2020 Performance Partnership Agreement (PPA) and Grant (PPG) End-of-Year Report. Please let us know if you or your staff have questions regarding the enclosed. The program contacts, are as follows:

Activity or Program	Contact	Division	Telephone #
Air Quality	Jim Semerad	Air Quality	(701) 328-5188
Radon/Lead	Justin Otto	Waste Management	(701) 328-5166
Hazardous Waste	Derek Kannenberg	Waste Management	(701) 328-5166
PCB	Derek Kannenberg	Waste Management	(701) 328-5166
Public Water Supply Supervision	Greg Wavra	Municipal Facilities	(701) 328-5211
Watershed Management Program	Aaron Larsen	Water Quality	(701) 328-5210
Surface Water Quality Standards & EIS Review	Pete Wax	Water Quality	(701) 328-5210
Ground Water Protection	Carl Anderson	Water Quality	(701) 328-5210
Underground Injection Control	Carl Anderson	Water Quality	(701) 328-5210
NDPDES	Marty Haroldson	Water Quality	(701) 328-5210

Sincerely,

L. David Glatt, P.E., Director
North Dakota Department of Environmental Quality

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FY 2020 PERFORMANCE PARTNERSHIP

AGREEMENT (PPA) END OF YEAR ASSESSMENT

This End of Year Assessment was prepared by the North Dakota Department of Environmental Quality, in cooperation with the U.S. Environmental Protection Agency, Region VIII.

ND Department of Environmental Quality
918 E. Divide Avenue
Bismarck, ND 58501-1947

U.S. Environmental Protection Agency
Region VIII
1595 Wynkoop Street
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December 2020

FY 2020 PERFORMANCE PARTNERSHIP AGREEMENT (PPA)
END OF YEAR REPORTS

OVERVIEW HIGHLIGHTS

NORTH DAKOTA'S FY 2020 OVERVIEW HIGHLIGHTS

Since April 29, 2019 the North Dakota Department of Environmental Quality (NDDEQ) has operated as a stand-alone agency responsible for the implementation of environmental protections programs in North Dakota. Our Mission is to conserve and protect the quality of North Dakota's air, land, and water resources following science and the law.

In cooperation with the general public, industry, and government at all levels, the department implements protective programs and standards to help maintain and improve environmental quality. This includes implementation of many of the federal programs promoted by the United States Environmental Protection Agency (EPA).

In FY 2020, despite the many challenges brought on by the Covid-19 pandemic, the Department stayed vigilant in our efforts to protect and enhance North Dakota's public health and the environment. In addition to the achievements outlined in the End of Year reports we would like to highlight a few of the Department's activities and accomplishments.

- Although Covid-19 resulted in over half of the NDDEQ's staff to work from home, all permit compliance conditions continued to be met and on-site inspections commitments were completed. The Department maintained high compliance rates in our environmental programs.

- During the COVID-19 pandemic the Air Quality program worked diligently to ensure proper permitting and compliant industry operation. The Air Quality program takes great pride in meeting our responsibilities of ambient data collection, permitting, and compliance work. In FY2020, North Dakota achieved attainment with all ambient air quality standards.

- At the start of FY 2020 oil exploration and activity was starting to increase however the sudden impact of Covid-19 was devasting to the industry in North Dakota. One third of oil wells were shut in and between December 2019 to May 2020 crude oil output decreased from 1.5 million barrels per day (bpd) to .9 million barrels per day a decrease of more the 615,000 bpd. The industry is now rebounding a bit and the Department continues its work on environmental permitting, compliance, and enforcement activities related to oil and energy production. The Department also continues to respond and oversee cleanup/remediation of spills throughout North Dakota.

- The Hazardous Waste Program conducted inspections at seventeen (17) large quantity generators and twenty-five (25) small and very small quantity generators. An additional five (5) permitted facilities were inspected as well for a total of 45 hazardous waste generator inspections. Fourteen (14) PCB inspections were conducted in FY 2020. Facilities were randomly selected within North Dakota that include federal government

facilities, towns with ownership of their electrical systems, electrical cooperative, power companies, electrical distribution systems and others.

- The Department's Chemistry Laboratory which is certified for regulated drinking water parameters through April 2022, continues to provide environmental sample analysis and emergency response, including 24-hour services as needed. In the FY2020 Performance Partnership Agreement (PPA) the Laboratory analyzed 1,118 samples. Of those, 152 were E-Coli in surface water determinations done by the Department of Health Microbiology Laboratory that are reported through the Chemistry Laboratory Information Management System. Another 96 were oil field related samples in support of department investigations.

- The Department continues to remain active in local, regional, and national environmental organizations with staff holding positions in several of the organizations. The organizations include but are not limited to the following: Environmental Council of the States (ECOS), Western Regional Air Partnership (WRAP) Regional Haze (Co-Chair), WRAP Regional Technical Operations, WRAP Oil and Gas, WRAP Technical Steering Committee, Association of Air Pollution Control Agency (APCA), Lignite Energy Council (LEC), Interstate Technology and Regulatory Council (ITRC), National Ground Water Association (NGWA), Groundwater Protection Council (GWPC), North American Erosion and Sediment Control Association (NASECA), Water Environment Federation (WEF), Association of Clean Water Administrators (ACWA), American Fisheries Society, North Dakota Chapter of Wildlife Society, Society of Wetland Scientists, North American Lake Management Society (NALMS), International Red River Board/Souris River Board, and the Red River Basin Commission/Assiniboine River Basin Initiative.

- The Department's current EPA approved Quality Management Plan (QMP) is Revision 8, dated March 2016. The Quality Management Plan is under review and Revision 9 will be completed in FY 2021.

- The Department continued to expand environmental program information available on its website and update online reporting/registration systems. In FY 2020 the Department completed the process to transition to an online annual emissions inventory report (AEIR) submittal process. The new program, called the State and Local Emissions Inventory System (SLEIS), will be used to review and process AEIRs. This system will allow facilities to electronically edit and submit their AEIR, view Department changes, and view their annual fee. Initially, this system will be used only by facilities holding a Title V permit, with future expansion to minor source permits.

  Also, in December 2020, the Department went live with the Combined Environmental Regulatory Information System –North Dakota (CERIS-ND). CERIS-ND is an online portal for the regulated community to complete required regulatory actions including: electronic permitting, licensing, notifications, and reports. It is a tool for the centralized management of regulated entities including permit and license management, document management, compliance reporting, inspections and evaluations, electronic payment, and

spatial data management. CERIS-ND makes environmental compliance permitting and reporting easier for the regulated community, makes environmental records open to the regulated community and the public, increasing our transparency, and meets the business needs of the Department, reducing repetitive data entry and paper handling.

In addition to SLEIS and CERIS-ND, the department implemented an online application and payment system for the Solid Waste Permit program for waste haulers and an online renewal and payment system for the Petroleum Tank Registration Compensation Fund program.

FY 2020
PRIORITY ISSUES STATUS UPDATE

The following are the Department's priorities (in bold print) with status updates:

1. **Maintain primacy and delegation of all North Dakota authorized EPA programs (air, drinking water, NDPDES, UIC, hazardous waste, solid waste, underground storage tanks, etc.).**

   The Department and EPA have maintained all environmental program primacies and delegations in North Dakota. During the Covid-19 pandemic, the Department was also able to comply with the PPA conditions and program commitments.

2. **Strengthen partnerships with EPA and other federal agencies, state agencies, tribes, local units of government, the regulated community and environmental organizations through consultation, collaboration and shared responsibility.**

   The Department continues to consult and work with various federal, state, tribal and local agencies and stakeholders in addressing EPA rules, guidance and policies. The Department will continue to work with EPA and North Dakota Tribes in addressing oil impact issues and the regulation of public drinking water and wastewater treatment facilities. The Department continued outreach to North Dakota Tribes in the form of face to face meeting and teleconferences identifying cooperation and data sharing opportunities.

3. **Conduct Emergency Response, Disaster Preparedness and Response, and Oil Activity and Spill Response.**

   The Department continues to address environmental issues associated with North Dakota oil field development and oil spill response. The Department worked with the North Dakota Department of Emergency Services, North Dakota Industrial Commission, and the North Dakota Department of Agriculture to implement new one-stop spill reporting program and database for all spill reporting.

   The Department responds in a timely manner to all environmental releases, including oil spills, by providing on-scene assistance, compliance and cleanup guidance and enforcement. The spill response oversight is conducted to ensure all incidences are properly addressed and selected remedies are protective of public and environmental health.

   The Department participated in or completed the following planning, preparedness and response, and safety training activities during FY 2020:

   - A Department representative continues to serve as one of the North Dakota alternates on the Region 8 Regional Response Team.

   - A Department representative continues to serve as a member of the State Emergency Response Commission (SERC).

- OSHA 1910.120 Hazwoper 8-hour refresher training was completed by the Department's staff.

- •Staff responded and resolved many environmental incidents, spills, and releases during the year. The Department's Spill Investigation Program attended various trainings, as well as interfaced with industry, federal, and state responders during table-top and field training exercises. The Spill Investigation Program assisted the North Dakota Oil and Gas Division with an abandoned well plugging project funded with Coronavirus Relief Funds.

EPA will continue to assist the Department, other state agencies and local responders to plan and respond to emergencies and provide resources in the event of an emergency involving the release of oil or a hazardous substance.

4. Continue to work with EPA and the regulated community on air pollution requirements.

The Department continued its work with the EPA and the regulated community to meet all federal air pollution requirements. The Department adopted appropriate New Source Performance Standards effective July 1, 2020. The adoption of the standards allowed the Department to assume primacy of the Clean Air Act OOOO/OOOOa Program. Current and ongoing challenges for the Air Quality Program include federal changes in policy and regulation.

AIR QUALITY

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONES (DATE)	STATUS UPDATE
I. ENFORCEMENT AND COMPLIANCE			
A. Compliance Monitoring Strategy (CMS):			
1. Submit to EPA a CMS plan for FY20, pursuant to EPA national guidance on CMS.	One Plan	10/31/19	Action completed and letter submitted.
2. Conduct Full Compliance Evaluations, Partial Compliance Evaluations, or Investigations at all sources targeted for inspection under the State's FY20/21 CMS plans.	As Necessary	9/30/20 9/30/21	In general, all required inspections were completed except for insignificant sources such as asphalt plants which did not operate in North Dakota or with minimal operations in the State.
3. EPA will perform overview inspections at selected sources listed for inspection in the State's FY20/21 CMS plans.	As Necessary	9/30/20 9/30/21	EPA action item.

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONES (DATE)	STATUS UPDATE
B. Conduct Compliance Investigations	As Necessary	Ongoing	Complaint investigations are conducted as promptly as possible to determine if violations exist.
C. Multimedia Inspections: Evaluate the appropriateness of assisting and participating with EPA in cross-program, multimedia inspections and, as necessary, conduct appropriate cross-program, multimedia enforcement. Where these inspections involve facilities not initially targeted for inspection in the State's CMS plans, EPA will agree to adjust the CMS inspection list accordingly, such that this cross-program, multimedia initiative will not require additional State resources.	As Necessary	Ongoing	No multimedia inspections were conducted which required air participation.
D. Significant Violators:			
1. Work with EPA to identify all violators subject to the Policy on Timely and Appropriate Enforcement Response to High Priority Violations (HPV/T&A Policy), upon determination of violation.	As Necessary	Ongoing	The State works to effectively resolve all enforcement actions while informing EPA as necessary.

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONES (DATE)	STATUS UPDATE
2. Take appropriate action to resolve violations, in accordance with the HPV/T&A Policy, including tracking of sources subject to compliance schedules.	As Necessary	Ongoing	The State tracks all violations to ensure that compliance schedules are met.
E. Compliance/Enforcement Reports:			
1. Submit inspection reports to EPA.	As Necessary	Ongoing	Reports are submitted usually within 60 days of the inspection date.
2. Submit copies to EPA, upon issuance, of all enforcement actions (NOVs, Orders, proposed and final penalty settlements, referrals to State AG) for all sources subject to CMS, and for all NSPS and NESHAP sources.	As Necessary	Ongoing	Copies of all enforcement actions are forwarded to EPA.
F. Compliance/Enforcement Data Base (ICIS) Integrity Management:			

	GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONES (DATE)	STATUS UPDATE
1.	Provide timely data to ICIS on CMS sources evaluated or investigated, and on any other sources that are major according to CAA definition, including general description of each source, compliance and operating status, compliance/enforcement activities (including inspections, enforcement actions and compliance certification information), types of criteria pollutants emitted, and identification of federally enforceable continuous emission monitors.	As Necessary	Ongoing	ICIS-AIR entries are updated semi-annually.
2.	Coordinate with EPA to ensure that CMS sources are flagged in ICIS for inspection, and to ensure that high priority violations are correctly identified in ICIS.	As Necessary	Ongoing	The CMS identifies all sources that are scheduled for inspection and high priority violations are flagged by the region.
3.	Perform periodic reviews of ICIS data, to ensure required data have been entered correctly.	As Necessary	Ongoing	Reviews are conducted at time of update.
4.	Perform evaluations of source-submitted summary data reports by reviewing on-site records required by the CMS.	As Necessary	Ongoing	On-site records are reviewed as part of an inspection.

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONES (DATE)	STATUS UPDATE
G. Continuous Emission Monitoring (CEM) Compliance:			
1.a. Review and observe, as resources allow, Performance Specification Tests (PST) for CEMs, including test protocols and concurrent stack tests.	As Necessary	Ongoing	PSTs are observed to the extent possible. Written reviews of PST are prepared.
1.b. Conduct review of any required annual Relative Accuracy Test Audits or CEM recertification. Provide summary to EPA of audit results and findings on tests.	As Necessary	Ongoing	RATAs are frequently observed. Written reviews are prepared.
1.c. Review any source self-audits. Provide summary to EPA of findings and the State's impressions of the sources' audits.	As Necessary	Ongoing	Self-audits are reviewed upon submittal.
1.d. Review Data Assessment Reports, as may be required by 40 CFR 60 Appendix F, source QA plan, permit or SIP regulation.	As Necessary	Quarterly	Required reports are reviewed upon submittal.
1.e. Review the QA information in source self-monitoring reports (which include EERs and FSA (fuel sampling and analysis) reports).	As Necessary	Quarterly	The QA information is reviewed as part of the overall compliance review process.

	GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONES (DATE)	STATUS UPDATE
2.	Review source self-monitoring compliance reports and excess emission reports (EERs), from CEM sources and take appropriate enforcement action for non-compliers, in accordance with the HPV/T&A Policy.	As Necessary	Quarterly	All self-monitoring reports are reviewed quarterly and appropriate enforcement action is taken as required.
3.	Submit EER summary data to EPA for all federally enforceable CEMs. Maintain up-to-date data listings of CEMs.	As Necessary	Ongoing	EER summary data is maintained for all sources as appropriate.
4.	Maintain qualified CEM enforcement staff, by sending personnel to EPA-sponsored CEM training courses and workshops.	As Necessary	Ongoing	Attended applicable training as time and resources permitted. EPA has held few, if any, CEM courses or workshops.
5.	Ensure that source self-monitoring programs are effective and consistent with EPA guidance.	As Necessary	Ongoing	EPA guidance is followed as appropriate.

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONES (DATE)	STATUS UPDATE
6. Assist EPA in the enforcement of any CEM requirements pursuant to CAA Title IV (acid rain).	As Necessary	Ongoing	Enforcement assistance is provided as appropriate.
7. Review Quality Assurance Plan and submit updates.	As Necessary	Ongoing	The plan was revised on 3/09 and remains current.
H. Inspector Training:			
1. Conduct EPA Method 9 Visible Emission Observers Certification Program, including "VE schools" and at least one annual classroom session of EPA Method 9. Maintain smoke generator equipment pursuant to EPA Method 9.	2 Sessions per year	Ongoing	Method 9 training was completed in October 2019. Spring 2020 was cancelled due to COVID. Fall 2020 was held as normal. Classroom training was conducted with both sessions.

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONES (DATE)	STATUS UPDATE
2. Maintain a qualified inspector force by allowing air inspector attendance at EPA-sponsored training courses and workshops.	As Required	Ongoing	Inspectors are scheduled for training as time and resources permit.
3. Conduct Odor Evaluation Certification Program.	1 Session per year	Ongoing	One primary training session is held in May each year, additional training is conducted as required. 2020 session cancelled due to global pandemic.
I. Stack Tests:			
1. Review stack test protocols, observe on-site stack tests and review stack test reports, as resources allow, for completeness in accordance with State stack test oversight program.	As Required	Ongoing	Many stack tests are observed on-site, and all protocols and test results are reviewed.

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONES (DATE)	STATUS UPDATE
2. Provide copy of test evaluations to EPA as requested.	As Necessary	Ongoing	Test report information is supplied to EPA as requested.
J. Asbestos NESHAP Compliance:			
1. Perform 30 asbestos NESHAP inspections per year. This commitment includes inspections of regulated asbestos NESHAP projects, landfills which accept asbestos material, and complaint inspections.	As Necessary	Annually	31 have been conducted
2. Develop and maintain a database that stores Notification of Demolition and Renovation information.	As Necessary	Ongoing	Done on State's Access system.
3. Take appropriate enforcement action for all asbestos violators, in accordance with the HPV/T&A Policy.	As Necessary	Ongoing	Done. 3 LOANS, 5 warning, 2 ESA, 2 ESO., 8 NOVs & 1 ACA.
4. Respond to citizen complaints and record inspections and enforcement actions.	As Necessary	Ongoing	Ongoing
5. Perform public outreach activities as necessary for regulation revisions and enforcement actions.	As Necessary	Ongoing	Ongoing

	GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONES (DATE)	STATUS UPDATE
6.	Operate and maintain the State's Asbestos Supervisor Certification Program to verify training required under S.S. 61.145(8) of Part 61 Subpart M - of 40 CFR.	As Necessary	Ongoing	Ongoing
7.	Provide training and medical monitoring for asbestos inspectors.	As Necessary	Ongoing	Ongoing

	GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONES (DATE)	STATUS UPDATE
8.	Improve public awareness of the asbestos requirements by distributing literature.	As Requested	Annually	Ongoing
	• Annually mail informational documents to contractors through the Secretary of State's annual General Contractor's License renewal notice in December.	Provide Publications	Annually	Over 10,000 contractors were emailed information.
	• Encourage building officials to inform building permit applicants about asbestos regulations.	1 letter to all cities and counties in ND	Biennially	Sent letter in Dec. 2020 (every two years).
	• Mail asbestos information to the public when requested.	As Requested	Biennially	Mailed information to the public when requested.
	• Mail asbestos information to fire departments in the State.	1 mailing to every fire department in ND	Biennially	Sent letter in Dec. 2020 (every two years).
	• Mail asbestos information to architects in the State.	1 mailing to ND licensed architects	Biennially	Sent letter in Dec. 2020 (every two years).
9.	Provide informative presentations regarding common uses, health effects and regulations of asbestos to interested groups.	As Requested	Ongoing	Gave – 3 asbestos presentations to various groups

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONES (DATE)	STATUS UPDATE
K. National Compliance Initiatives: Participate in field investigations, case development and National Compliance Initiatives with the Regional Office.	As Required	Ongoing	Participate as appropriate.
L. Initiate formal enforcement action in accordance with State procedures and the HPV/T&A Policy following determination of noncompliance by Title V, NSPS and NESHAP sources. Furnish copies of each action to EPA.	As Required	Ongoing	Enforcement action is taken as appropriate. EPA is provided copies of each action.
M. MACT Standards: Prepare for implementation and enforcement of major source standards as applicable and as finalized.	As Required	Ongoing	MACT standards for major sources are implemented as soon as they are promulgated and enforced after the compliance date(s).
N. Office of Enforcement and Compliance Assurance (OECA) Core Performance Measures:			

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONES (DATE)	STATUS UPDATE
1. Submit information to EPA Regional compliance staff for the annual review performance measures to be used in the annual review of state program performance.	As Necessary	Ongoing	Information is provided as requested by the regional staff
II. MODELING ANALYSIS AND REVIEW			
A. Perform modeling for new source review, SIP permit review, air toxics permitting, SIP development and monitor siting.	As Required	Ongoing	Ongoing
B. Review/analyze permit applicants modeling associated with new source review, SIP permit review and air toxics permitting.	As Required	Ongoing	Ongoing
C. Track PSD increment consumption and background concentrations as part of permit application reviews.	As Required	Ongoing	Ongoing
D. Develop/update computer modeling software system.	As Required	Ongoing	Ongoing
E. Develop/update emission inventories and meteorological data bases needed for modeling.	As Required	Ongoing	Ongoing
F. Submit to EPA, for review and approval, all proposed applications of non-guideline modeling for new source review and SIP development.	As Required	Ongoing	Ongoing
G. Ensure that air quality modeling analysis prepared for major source permit applications consider minor source emissions since the minor source baseline date.	As Required	Ongoing	Ongoing

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONES (DATE)	STATUS UPDATE
H. Provide necessary resources to ensure the capability to provide the State with guidance on modeling issues, including timely distribution of guidance documents.	As Required	Ongoing	EPA action item
III. NEW SOURCE REVIEW			
A. Operate NSR Permit Program in accordance with PSD permitting requirements, including minor source increment consumption.	As Necessary	Ongoing	Ongoing
B. Make available to EPA a copy of the public notice, the technical review and analysis, and the proposed permit or permit conditions, at the start of the public comment period, for the following categories of permit actions:	As Necessary	Ongoing	Completed as necessary
1. PSD permits for new and modified sources.			
2. Permits for Title V new sources.			
3. Permits for Title V modified sources (if permitting involves "netting" to avoid major source NSR).			
4. Permits for sources avoiding major source NSR, by permit restrictions to reduce their potential emissions (synthetic minor).			

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONES (DATE)	STATUS UPDATE
The technical review and analysis must include an emission inventory, emission calculations, and a description of the source. A BACT analysis and/or modeling analysis (as applicable) must be included for the PSD permits.			
C. Copies of the final permits, for the above categories will be submitted to EPA, when issued. All EPA comments, received during the public comment period, shall be incorporated into the final permit or a written response to EPA will be prepared, stating why the recommendations were rejected.	As Necessary	Ongoing	Completed as necessary
D. Make available to EPA a copy of the PSD permit application for those sources located at or within 100 kilometers of the U.S./Canada border per the U.S./Canada Air Quality Agreement. Submit each application within 30 days of receipt of a complete application.	As Necessary	Ongoing	Completed as necessary
E. Make available to the Federal Land Managers, a copy of all PSD complete permit applications and supplemental information, when received from applicant (as soon as possible, but not later than 30 days), for sources located within 100 kilometers of any Class I areas or causing a significant impact on any Class I areas.	As Necessary	Ongoing	Completed as necessary
F. Evaluate the need for additional training regarding permitting under the PSD/NSR process to improve permitting activities. EPA will schedule and provide training, as needed.	As Necessary	Ongoing	Training classes attended as applicable

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONES (DATE)	STATUS UPDATE
G. Submit BACT determinations to the EPA Clearinghouse, pursuant to Section 108(h) of the CAA, within 30 days of permit issuance. Data submission will include the "application accepted date" and the "permit issuance date."	As Necessary	Ongoing	Completed as necessary
H. Continue implementation of program for periodic determination of minor source increment consumption for all increment consuming emissions. Identify areas where stationary minor source or area source growth is suspected of causing an increment violation and conduct an increment consumption analysis for each area. Notify EPA when an analysis will be done. Provide EPA the results of the analysis within 60 days of completion (40 CFR 51.166(a) (4)).	As Required	Ongoing	Impact of minor source is accounted for as major sources are modeled.
I. Operate a new source review program to ensure construction or modification of minor sources of air pollution are consistent with the State Implementation Plan.	As Necessary	Ongoing	Ongoing
J. Follow through on issues identified in EPA program review, as warranted.	As Necessary	Ongoing	Ongoing
K. Support, as necessary, activities related to the National Environmental Policy Act (NEPA), including reviewing air quality impacts disclosed in NEPA documents and participating in NEPA-initiated working groups, in conjunction with EPA and other affected agencies.	As Necessary	Ongoing	Ongoing

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONES (DATE)	STATUS UPDATE
L. Document, and take appropriate actions for NAAQS violations identified through new source permitting or other actions. Identify whether existing sources, stationary or area source growth, is suspected of causing the NAAQS violation. Notify EPA of the NAAQS violation and provide EPA with a copy of the results within 60 days of completion.	As Necessary	Ongoing	Ongoing
IV. OPERATING PERMIT PROGRAM			
A. Continue SBAP.	As Required	Ongoing	Ongoing
B. Continue infrastructure development.	As Necessary	Ongoing	Ongoing
1. Develop/obtain adequate training (e.g. workshops) for Title V staff to assure proper implementation/enforcement of permits.	As Necessary		
2. Revise applicable permit information documents (e.g., permit application forms, model permits, and general permits).	As Necessary		Completed as necessary
C. Implement Title V program in accordance with the State/EPA Air Quality Operating Permits Program Implementation Agreement.	As Necessary	Ongoing	Ongoing
D. Maintain and update required data elements in the Integrated Compliance Information System (ICIS) for all Title V sources.	As Necessary	Ongoing	Ongoing

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONES (DATE)	STATUS UPDATE
E. Follow through on issues identified in EPA program review, as warranted.	As Necessary	Ongoing	Ongoing
F. Provide timely data on Title V permits and significant modifications to EPA Region 8 for entry in the Title V Operating Permits System (TOPS) by Region 8.	2 Reports	Semi-Annual	Ongoing
V. SIP DEVELOPMENT			
A. Conduct necessary SIP revisions for $PM_{2.5}$, PM-10, lead, SO_2, ozone, NO_X, regional haze and CO as appropriate.	As Necessary	Ongoing	Ongoing
1. Identify new SIP submittals expected to be submitted by the state.	As Necessary	Ongoing	
2. EPA/State will prioritize SIP actions.	As Necessary	Ongoing	
3. EPA/State hold semi-annual calls/meetings to discuss SIP status.	As Necessary	Ongoing	
B. Provide information on SIP related questions from the State.	As Necessary	Ongoing	EPA action item
C. Provide technical assistance on all aspects of SIP development.	As Necessary	Ongoing	EPA action item
D. Implement approved SIPs and assure effective implementation of the control measures.	As Necessary	Ongoing	Ongoing
E. Continue developing inventory information for PM2.5.	As Necessary	Ongoing	Ongoing

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONES (DATE)	STATUS UPDATE
F. NEW SOURCE REVIEW			
1. Revise all NSR and PSD regulations to add new EPA promulgations and/or correct deficiencies noted in existing regulations. Submit revisions according to schedule specified in the promulgations and/or EPA's letter noting deficiencies.	As Necessary	Ongoing	Ongoing
2. Develop and complete regulation revisions to address new and modified NESHAPs and NSPS regulations which have been promulgated through the end of the fiscal year.	As Necessary	Ongoing	Ongoing
G. Take the necessary steps to make reasonable progress toward the national goal of preventing any future, and remedying any existing, reasonably attributable anthropogenic visibility impairment in mandatory Federal Class I areas.	As Necessary	Ongoing	Ongoing
H. EPA and the State will continue to work together to take appropriate actions to resolve PSD/SIP issues.	As Necessary	Ongoing	Ongoing
I. Build capacity and undertake preliminary activities related to development of state plan to implement Section 111(d) guidelines for electric generating units, including compiling and assessing information about energy and emissions, and conducting outreach with interested parties.	As Necessary	Ongoing	Ongoing

VI. MONITORING

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONES (DATE)	STATUS UPDATE
A. Operate an air network consistent with the Network Monitoring Plan, Quality Assurance Project Plan (QAPP), and 40 CFR Part 58.	As Required	Ongoing	Ongoing
B. Submit Annual Network Plan of State and industrial operated networks, per EPA guidance (40 CFR Part 58.10(a)(2).	One Review per year	7/1/20 & 7/1/21	9/2020
1. EPA to respond, in writing, within 120 days.	One Response per year	As Required	EPA
C. Inform EPA in advance of any proposed state network modifications.	As Required	Ongoing	Ongoing
1. EPA to respond by telephone within 10 days; written documentation to follow.	As Required	As Needed	EPA
D. Submit air quality monitoring, precision, and accuracy data to AQS according to the schedule specified in 40 CFR Part 58.16(b).	4 Submittals per year	Quarterly	Completed
E. Notify EPA in writing of any NAAQS exceedances within 45 days of exceedance.	As Required	Ongoing	Completed
F. Maintain and update AQS site files and send hard copy reports with pictures of new and modified sites.	As Needed	Ongoing	Ongoing
G. Submit AQS amp-600 report. Certify NAAQS pollutant data in AQS - provide supporting documentation as required.	1 Report per year	5/1/20 & 5/1/21	4/2020

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONES (DATE)	STATUS UPDATE
H. Conduct and report on performance and system audits on "SLAMS-LIKE" industry programs.	As Required	Ongoing	Ongoing
I. Review industry AAQM data and submit to AQS within 90 days after end of quarter.	4 Submittals per year	Quarterly	Ongoing
J. Send participants to conference.	As Scheduled	As Scheduled	Postponed COVID-19
K. Provide technical assistance to the State in complying with the air requirements of 40 CFR Part 58.	As Required	Ongoing	Ongoing
L. Submit copy of air QAPP to EPA Region at the time it is submitted to QAPP approving authority.	As QAPP Updated	Ongoing	Completed
M. Continue reporting hourly 5-minute maximum SO_2 concentrations.	As Needed	Ongoing	Ongoing
N. The EPA will work with the State to assess the impacts of the proposed changes to 40 CFR Part 58 and begin planning for the implementation of those changes (National Monitoring Strategy/NCORE Monitoring Network).	Updated Monitoring Network	Ongoing	Ongoing
O. Maintain and operate ozone monitoring site in an oil development area.	1 Site Required	Ongoing	Ongoing

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONES (DATE)	STATUS UPDATE
P. Provide independent and adequate audits of monitoring network by participating and directing funding to EPA's Through-the-Probe (TTP/NPAP) and PM2.5/Pb Performance Evaluation Programs (PM2.5/Pb PEP).	Audits Performed	Annual	Ongoing
VII. ACID RAIN			
A. Permit Program Development			
1. Review and incorporate as appropriate any new guidance from EPA on Acid Rain Permitting Program, into State's OPP (Title V).	As Necessary	Ongoing	Ongoing
B. Acid Rain Continuous Emission Monitoring Implementation			
1. Observe, review and certify recertification tests and audits, as resources allow; a minimum of 50% of the scheduled tests are targeted to be observed. Provide summary of observations to EPA Regional Compliance staff upon request.	As Required	Ongoing	A minimum of 50% of all tests and audits are observed. Test results are reviewed.
2. Compare CEMS equipment on-site to ensure that it corresponds with the latest CEMS Monitoring Plan. Advise EPA Regional compliance staff of any deficiencies found.	As Required	Ongoing	On-site CEMS equipment is compared with the CEMS Monitoring Plan during inspections.

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONES (DATE)	STATUS UPDATE
VIII. ANNUAL POINT SOURCE EMISSION INVENTORY			
A. EPA will provide emission inventory summary report within 30 days after the notification that inventory is completed.	1 Report per year	As Available	EPA action item
B. Report point source actual annual emissions data for 2019 & 2020 to the National Emissions Inventory based on the following minimum reporting thresholds: SO_x, VOC, NO_x, PM_{10}, $PM_{2.5}$ and NH_3 > 100 tons/yr CO > 1000 tons/yr Pb > 5 tons/yr	1 Data Submission per year	12/31/20 & 12/31/21	2018 complete & 2019 ongoing
C. Review and quality assure the integrated latest HAP emission inventory in order to develop a more accurate, robust NEI and to assist North Dakota's toxics reduction strategy.	As Necessary	As Needed	Ongoing
D. Review most recent area and mobile source emissions data as generated by EPA.	As Necessary	As Needed	Completed
IX. AIR TOXICS			
A. Review and process applications for the Early Reduction Program (ERP) pursuant to Section 112(I)(5) of the CAA and the final rule.	As Necessary	As Needed	
B. Provide EPA with an annual summary of the results of the most recent air toxics inventory.	1 Summary per year	Concurrent with NEI Submission	No application received.

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONES (DATE)	STATUS UPDATE
C. Collect data for case-by-case database. Assume responsibility for data entry and adhere to QA/QC protocol and timely updates to database.	As Necessary	As Needed	Ongoing
D. Assume implementation of applicable promulgated MACT standards for major sources if the State has any affected sources.	As Necessary	As Needed	Ongoing
E. Make case-by-case MACT determinations under Section 112(g).	As Necessary	As Needed	Ongoing
F. Adopt major source MACT standards applicable to State sources within 18 months of federal promulgation.	As Necessary	As Needed	Ongoing
G. Implement and enforce federally promulgated major source MACTs (which apply to State sources) to the extent the State adopts and receives delegation of authority.	As Applicable	As Needed	Ongoing
H. EPA intends to keep states informed of progress for new phase of air toxics via conference calls and emails with State Air Director and state air toxics staff. The minimal level of effort is for the state to be kept up to date of EPA efforts regarding the following:	As Necessary	As Needed	Ongoing EPA action item.
1. Region 8 work to begin to use air toxics assessment results to identify areas for further study.	As Necessary	As Needed	EPA action item.
2. Region 8 work to begin to assess suspected air toxics risks in local areas.	As Necessary	As Needed	EPA action item.

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONES (DATE)	STATUS UPDATE
3. Region 8 work to begin to share information and build capacity to identify and characterize air toxic risks.	As Necessary	As Needed	EPA action item.
4. Region 8 work to identify and address risks and share information with communities.	As Necessary	As Needed	EPA action item.
5. Region 8 work to seek voluntary reductions of air toxics, as reasonable and appropriate.	As Necessary	As Needed	EPA action item.
X. POLLUTION PREVENTION			
Mobile Sources: Assist EPA in providing information regarding Diesel Emissions Reduction Act (DERA) funding programs. Consider reapplying for the DERA State Program funding.	As Necessary	Ongoing	Ongoing
XI. STRATOSPHERIC OZONE			
A. Answer general questions and/or provide information on Title VI questions to public, industry, and local governments, as needed.	As Necessary	As needed	Ongoing
B. Assist in general development and implementation of effective enforcement of Title VI.	As Necessary	Ongoing	Ongoing
C. Coordinate with A/C societies, industry and locals on information on training programs and conferences in North Dakota for technicians, business owners, and institutions.	As Necessary	Ongoing	Ongoing

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONES (DATE)	STATUS UPDATE
D. Forward all CFC complaints and possible violations to EPA.	As Necessary	Ongoing	Complaints are forwarded.
E. Provide Public Health/Prevention Information to the Public.	As Necessary	Ongoing	Ongoing
XII. ENVIRONMENTAL JUSTICE			
A. Incorporate consideration of environmental justice concerns into all State air regulatory and non-regulatory activities, as appropriate.	As Necessary	Ongoing	Ongoing

RADIATION, INDOOR RADON, AND LEAD

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONE (DATE)	STATUS UPDATE
I. RADIOACTIVE MATERIALS			
A. Continue operation of the RADNET air monitoring station.	104 Samples per year	Twice Weekly	Twice weekly samples submitted
B. Continue operation of the RADNET drinking water monitoring system.	4 Samples per year	Quarterly	4 samples collected & submitted
C. Provide public information.	As Required	Ongoing	Ongoing
D. Update and review radiological emergency response plan. (The radiological emergency response plan is a part of the Department's Environmental Emergency Response Standard Operating Procedures).	1 Plan Update	Biennial	Ongoing - updated as needed
E. Upgrade emergency response equipment and personnel training.	As Required	Ongoing	Ongoing
F. Continue to provide radiation technical support, assistance, and equipment loan to the State.	As Required	Ongoing	Ongoing
G. Continue to evaluate licensed facilities using unsealed radioactive material for compliance with public dose limits comparable to the radionuclide NESHAP requirements.	As Necessary	Ongoing	Ongoing
H. Incorporate consideration of environmental justice concerns into all radiation activities, as appropriate.	As Necessary	Ongoing	Ongoing

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONE (DATE)	STATUS UPDATE
II. INDOOR RADON (dependent upon receipt of future federal funds)			
Radon Resistant New Construction (RRNC)			
A. Provide information about recommended radon testing protocols and radon-resistant techniques for new construction to contractors, home builders association, and building inspectors/building code officials.	As Necessary	Ongoing	Ongoing
B. Speak at building officials' semi-annual meeting about RRNC.	1 Presentation as Requested	Biennially	Done
C. Operate booths at local home builders' association conventions & regional home shows.	Operate 5 Booths	Annually	Only 2 show, Others were canceled due to Covid
D. Conduct statewide survey of homebuilders about RRNC installations.	1 Survey	Annually	Done
Real Estate Transfers			
A. Provide speakers for meetings and assemblies to speak about radon testing and mitigation, as requested.	As Requested	Ongoing	Ongoing
B. Operate radon informational booth at the North Dakota Association of Realtors State Convention every other year.	Biennial	Ongoing	Not done due to Covid
Radon Partners Coalitions			

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONE (DATE)	STATUS UPDATE
A. Partner with ND cancer coalition on testing radon in schools. Conduct testing in 25 schools in the fall-winter 2019-2020. Schools with elevated radon levels will be retested in the rooms that came back elevated and giving a how-to video on ways to fix elevated radon levels in schools.	As Required	Ongoing	Done 26 schools Tested. The Department was going to do 45 but, with Covid schools were closed and online. The Department is working with Doug Kladder on three more online training videos for school maintenance staff that will be added to the Department webpage online training in June 2021.
<u>Radon In Water</u>			
A. If issued, review Multi-Media Mitigation (MMM) federal guidelines for radon in water issue to determine if North Dakota should participate in the Multi-Media Mitigation Program.	As Required	Ongoing	Ongoing

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONE (DATE)	STATUS UPDATE
Community Activity (General)			
A. Continue to provide radon technical support, assistance, information packages, and equipment loan to the State.	As Required	Ongoing	Ongoing
B. Submit semi-annual progress reports on radon activities.	2 Reports	Mid-Year & Year End	Done
C. Submit annual U.S. OMB radon template report for SIRG measures.	1 Report	Annually	Done
D. Continue to update and maintain RMP and RCP lists for public inquiries and Department use.	As Required	Ongoing	Ongoing
E. Complete training for staff through attendance of applicable Radon Training.	1 Staff	Annually	Done
F. Provide oral and written responses discussing testing results and remedial action alternatives to homeowners.	As Required	Ongoing	Ongoing
G. Conduct selected field evaluations of pre- and post-remediation of homes (or other buildings) completed by testing and mitigation contractors.	As Required	Ongoing	Ongoing
H. Provide technical assistance and information to the public and public officials.	As Required	Ongoing	Ongoing
Setting and Measuring Goals			
A. Continue to evaluate currently available statewide radon data and update strategy for testing and mitigation.	As Required	Ongoing	Ongoing

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONE (DATE)	STATUS UPDATE
Schools			
A. Conduct retesting of mitigated schools to verify mitigation results.	As Required	Ongoing	Done, up to school closing due to Covid
B. Purchase and distribute test kits for short-term radon tests in new, untested schools as well as retesting classrooms that are greater than 4 pCi/l.	As Required	Ongoing	
C. Promote mitigation in the school districts that have school classrooms greater than 4 pCi/l with a concentrated public awareness and mitigation promotion campaign directed at those districts. Retest school classrooms after mitigation to verify success.	As Required	Ongoing	Ongoing, Working on Training Video for Maintenance Staff for Mitigation
D. Maintain, calibrate CRM equipment.	As Required	Annually	Done
Environmental Justice			
A. Incorporate consideration of environmental justice concerns into all State indoor radon activities, as appropriate.	As Necessary	Ongoing	Ongoing
III. INDOOR AIR QUALITY PROGRAM			
Program Management			
A. Complete training of staff through attendance at suitable courses or conferences. Attend out-of-state meeting(s) as required including National Radon Conference and other training/meetings.	As Required	Ongoing	Ongoing

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONE (DATE)	STATUS UPDATE
Problem Assessment and Response			
A. Coordinate and staff exhibit booths to present IAQ issues at appropriate conferences, conventions and gatherings. Possible candidates include events sponsored by the Local Home Builders Associations and the Local Realtors Associations.	As Requested	Ongoing	Ongoing
B. Communicate with the Department's staff working in the areas of asthma, environmental tobacco smoke, and carbon monoxide to maximize the effectiveness of the IAQ Program in those areas and to determine how best to coordinate the Department's efforts.	As Needed	Ongoing	Ongoing
C. Provide technical support and assistance to the State as necessary.	As Needed	Ongoing	Ongoing
D. Provide information to the State on any findings that EPA has obtained concerning indoor air quality studies and specific issue resolutions.	As Required	Ongoing	Ongoing
E. Follow-up in writing to significant indoor air quality issues that the Department has worked on to track their resolution.	As Required	Ongoing	Ongoing
F. Develop and maintain a list of environmental health consultants who can provide service to the public for remediating indoor air quality problems.	As Required	Ongoing	Ongoing
G. Perform large public facility inspections and residential inspections with IAQ concerns.	Inspections as Needed	Ongoing	Ongoing
Local Health Units			
A. Provide technical assistance and support as requested.	As Required	Ongoing	Ongoing

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONE (DATE)	STATUS UPDATE
Tools for Schools			
A. Recommend implementation of the Tools for Schools program to all schools that receive technical assistance from the Department regarding IAQ issues. Provide information and assistance regarding the Tools for Schools program as needed.	As Needed	Ongoing	Ongoing
B. Assist schools who indicate that their Tools for Schools Program has identified specific issues concerning indoor air quality which they are having difficulty resolving.	As Required	Ongoing	Ongoing
Public Information			
A. Provide technical assistance and information concerning IAQ to the public and public officials.	As Needed	Ongoing	Ongoing
B. Provide oral and written responses to the public discussing the results of IAQ inspections and recommended response actions.	As Needed	Ongoing	Ongoing
C. Using public service announcements, press releases, etc., address IAQ issues involving major events such as floods, spills, national media events (such as IAQ Month) etc.	As Needed	Ongoing	Ongoing
D. Conduct one indoor air quality course in North Dakota. The course should contain information about a specific indoor air quality issue such as mold, asthma, environmental tobacco smoke, etc.	1 Training Course	Annually	3 Done
Environmental Justice			
A. Incorporate consideration of environmental justice concerns into all State indoor air quality activities, as appropriate.	As Necessary	Ongoing	Ongoing

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONE (DATE)	STATUS UPDATE
IV. LEAD-BASED PAINT PROGRAM Ensure that the percentage of children with blood lead levels above 5 µg/dl are no more than 1.0 percent above the national target for FY20 and work to make further reductions in blood lead levels through 2021. Tracking will be done by using North Dakota Medicare and Medicaid elevated blood lead data. By 2021, reduce the percent difference in the geometric mean blood lead level in low-income children 1-5 years old as compared to the geometric mean for non-low-income children 1-5 years old to 10.0 percent or less.			
<u>Enforcement</u>			
A. Perform 10 inspections for 2020 and 2021 to include approximately 75% of the notifiable TSCA regulated abatement projects.	10 Inspections	Annually	8 Inspections 5 Notifications and 1 Risk Assessor TSCA
B. Provide quarterly reports with the last report being in the form of an annual report to EPA.	4 Reports	Annually	4 Done
C. Operate and maintain the State's LBP trainer accreditation program to verify all lead training provider programs are approved as required in accordance with NDAC 33.1-15-24.	As Necessary	Ongoing	Ongoing

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONE (DATE)	STATUS UPDATE
D. Audit state accredited lead training providers at least one initial course and one refresher courses per year if courses are available in State.	2 Audits	Annually	January 9, 2020- Risk Assessor Refresher February 6, 2020- Supervisor Refresher
E. Take appropriate enforcement action for all lead-based paint violators, in accordance with NDAC 33.1-15-24. Submit copies of enforcement actions to EPA and update EPA quarterly on enforcement status of violators.	As Necessary	Quarterly	Done, no enforcement action this year
F. Operate and maintain the State's LBP worker certification and contractor licensing program to verify training and licensing requirements in accordance with NDAC 33.1-15-24. The State will process 95% of all viable LBP certifications and license applications within 10 days.	As Necessary	Ongoing	Ongoing, no certifications and licenses took longer than 10 days to process
G. Provide annual U.S. OMB Template reports for 2020 and 2021.	1 Report	Annually	List provided as requested
H. Implement the timely training of enforcement inspectors.	As Necessary	Ongoing	3 Department inspectors trained in Supervisor and 2 in Risk Assessor
<u>Compliance Assistance</u>			
A. Administer, track and enforce a compliance program to ensure individuals, companies & training providers are accredited, certified and licensed to conduct LBP activities within the State.	As Necessary	Ongoing	Ongoing

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONE (DATE)	STATUS UPDATE
B. Operate booths at three Home Builder's shows or conventions throughout the State in 2020 and 2021.	3 booths	Annually	2 Shows Bismarck and Minot, other shows were canceled due to Covid
C. Maintain, calibrate and re-source the XRF equipment.	1Re-Source	Annually	Leak test Feb/Aug 2020
D. Preview new federal LBP regulations for potential adoption into the State lead-based paint rules.	As Necessary	Ongoing	In process
E. Attend Tri-Regional LBP Conference and/or National LBP Conference.	1 Meeting	Annually	No Conference held in 2020
Environmental Justice			
A. Incorporate consideration of environmental justice concerns into all State lead-based paint activities, as appropriate.	As Necessary	Ongoing	Ongoing

HAZARDOUS WASTE

I. PROGRAM MANAGEMENT					
Activity	**Facility – ID#**	**Lead Agency**	**Quarter Scheduled**	**Quarter Actual**	**Comments**
A. Revise QAPP		S	4-FY20	4-FY20	Draft completed.
B. Data Management					
1. Report key program accomplishments in RCRAInfo or status reports. Maintain timely, accurate, and complete data in RCRAInfo on status of RCRA handlers.		S	Ongoing	Ongoing	
2. EPA will work with state on RCRAInfo reports and handler universe. EPA will provide training and technical assistance when requested.		E	Ongoing	Ongoing	
C. Public Involvement					

II. AUTHORIZATION OF STATE PROGRAMS					
Activity	**Facility – ID#**	**Lead Agency**	**Quarter Scheduled**	**Quarter Actual**	**Comments**
A. List of pending and planned submittals.		S			Rule updates adopted and implemented on July 1, 2020. Authorization package submitted to EPA in 4th Quarter.
1. Imports & Exports of Hazardous Waste		S	2-FY20	4-FY20	
2. Generator Improvement Rule		S	2-FY20	4-FY20	
3. Confidentiality Determinations for Hazardous Waste Export & Import Documents		S	2-FY20	4-FY20	
4. Hazardous Waste Electronic Manifest User Fee Rule		S	2-FY20	4-FY20	
5. Safe Management of Recalled Airbags		S	2-FY20	4-FY20	
B. Submit proposed state rule to EPA for Review.		S	1-FY20	1-FY20	Proposed rules submitted in 1st Quarter FY20. Comments received and implemented in final rules.
C. Revise state rules.		S	4-FY20	4-FY20	Rule updates proposed and accepted in 4th Quarter FY20.

II. AUTHORIZATION OF STATE PROGRAMS (CONTINUED)					
Activity	**Facility – ID#**	**Lead Agency**	**Quarter Scheduled**	**Quarter Actual**	**Comments**
E. Submit final application.		S	4-FY20	4-FY20	Authorization package submitted in September 2020.
F. Publish Federal Register Notice of decisions.		E			
G. Update of state authorization tracking system.		S/E	4-FY20	4-FY20	State provided updated information to EPA September 2020.
H. Jointly review the MOA.		S/E			Reviewed on an as needed basis.

III. EPA OVERSIGHT OF STATE PROGRAMS					
Activity	**Facility – ID#**	**Lead Agency**	**Quarter Scheduled**	**Quarter Actual**	**Comments**
A. Monitor State Performance					
1. Conduct FY19 End-of-Year Review. (EOY)		E/S	1-FY20	1-FY20	
2. Conduct FY20 Mid-Year Review. (MY)		E/S	3-FY20	3-FY20	
3. State Submittals					
a. EOY FY2019		S	1-FY20	1-FY20	
b. MY FY2020		S	3-FY20	3-FY20	

IV. CLOSURE AND POST CLOSURE					
Activity	**Facility – ID#**	**Lead Agency**	**Quarter Scheduled**	**Quarter Actual**	**Comments**
A. Closure Plan Approval (CL360)		S			No closure plans submitted.
B. Closure Certifications (CL370)		S			No closure certifications issued.
C. Closure Verifications (CL380)		S			No closure verifications.
D. Final Post-Closure Permit Determination/Issuance (PC200)		S			No post-closure permits issued.

V. OPERATING PERMITS					
Activity	**Facility – ID#**	**Lead Agency**	**Quarter Scheduled**	**Quarter Actual**	**Comments**
A. Permit Final Determination (OP200)		S/PG			No new permits issued.
B. Permit Modifications (Major mods only)		S/PG			No major permit modifications.
C. Permit Renewals (High priority only)	Grand Forks Air Force Base - ND3571924759	S/PG	FY20	2-FY20	Corrective Action Only permit reissued.
D. Misc. Activities (High priority only)		S			No activities to report.

VI. CORRECTIVE ACTION					
Activity	**Facility – ID#**	**Lead Agency**	**Quarter Scheduled**	**Quarter Actual**	**Comments**
A. Assessments – RFA, Pas (CA050)		S			No new assessments.
1. NCAPS Rankings Completed (CA075)		S/E			No new NCAPS rankings.
2. Evaluate EBOC and overall rank. (CA076, CA077)		S/E			No need for evaluations.
3. Determine need for corrective action. (CA070)		S			No additional facilities identified as needing corrective action.
B. RFI Activities (CA200)		S			No new RFI's conducted.
1. (CA100)					No new activity.
2. (CA200)					No new activity.
C. CMS Activities		S			No additional facilities identified as needing corrective action.
1. (CA300)					No new activity.
2. (CA350)					No new activity.

VI. CORRECTIVE ACTION (CONTINUED)					
Activity	**Facility – ID#**	**Lead Agency**	**Quarter Scheduled**	**Quarter Actual**	**Comments**
D. CMI Activities		S/PG			No new permits issued.
1. (CA400)		S/PG			No major permit modifications.
2. (CA550)	Grand Forks Air Force Base - ND3571924759	S/PG	FY20	2-FY20	Corrective Action Only permit reissued.
E. TSDFs evaluated for stabilization. (CA225)		S			No activities to report.
F. TSDFs with stabilization/interim measures implemented.					
G. Environmental indicators of corrective action results.					
1. Determinations of current human exposure under control. (CA725)		S			All facilities undergoing corrective action have current human exposures under control.
2. Determinations of migration of contaminated ground water under control. (CA750)		S			All facilities undergoing corrective action have migration of contaminated groundwater under control

VI. CORRECTIVE ACTION (CONTINUED)					
Activity	**Facility – ID#**	**Lead Agency**	**Quarter Scheduled**	**Quarter Actual**	**Comments**
3. Determination documented for those facilities under control.		S			The state has submitted documentation to EPA for all facilities undergoing corrective action.
4. Corrective action performance standards attained (CA900)		S			
5. Corrective Action Completed (CA999)		S			
H. RCRAInfo Updates		S		Ongoing	

VII. COMPLIANCE MONITORING					
Activity	**Facility – ID#**	**Lead Agency**	**Quarter Scheduled**	**Quarter Actual**	**Comments**
A. Facility Inspections (FY2020)		S			
1. Permitted TSDFs					
	Tesoro Mandan Refinery - NDD006175467		4-FY20	4-FY20	Transport, Storage, Disposal, Corrective Action
	Waste Recovery Services - NDD982591794		3-FY20	3-FY20	Transport, Storage
	Dakota Gasification Company - NDD000690594		3-FY20	3-FY20	Storage, Corrective Action
	Safety-Kleen (Bismarck) - NDD980957070		4-FY20	4-FY20	Storage
	Safety-Kleen (Fargo) - NDD000716738		2-FY20	2-FY20	Storage
2. CA Permitted Facilities		S			Facilities with only corrective action permits are not inspected regularly.

VII. COMPLIANCE MONITORING (CONTINUED)					
Activity	**Facility – ID#**	**Lead Agency**	**Quarter Scheduled**	**Quarter Actual**	**Comments**
3. Large Quantity Generators (17 Facilities)		S			A minimum of 50% of LQGs were inspected based on 1-FY20 generator data. Impacts from COVID-19 led to some facilities temporarily or permanently closing, and inspections confirming closure were conducted by staff.
	BJ Services, LLC- Dickinson NDR000009084		3-FY20	3-FY20	
	CVS Pharmacy #8614- Bismarck NDR000009241		4-FY20	4-FY20	
	Nalco Company LLC- Dickinson NDR000000398		3-FY20	3-FY20	
	Polar Service Center- Killdeer NDR000014563		4-FY20	4-FY20	
	CNH Industrial America LLC- Fargo NDD990872590		4-FY20	4-FY20	
	Baker Hughes - NDR000012740		4-FY20	4-FY20	
	CVS Pharmacy #8611 - NDR000009282		3-FY20	3-FY20	
	Pumpco - NDR000012708		4-FY20	4-FY20	

VII. COMPLIANCE MONITORING (CONTINUED)					
Activity	**Facility – ID#**	**Lead Agency**	**Quarter Scheduled**	**Quarter Actual**	**Comments**
	Wilbur-Ellis - NDR000007369		4-FY20	4-FY20	
	Halliburton Energy Services - NDD986270189		4-FY20	4-FY20	
	Goodrich - NDD053426565		4-FY20	4-FY20	
	CVS Pharmacy #8613 - NDR000009258		4-FY20	4-FY20	
	North Dakota State University – NDD089489736		4-FY20	4-FY20	
	Sanford Medical Center – NDR000014043		4-FY20	4-FY20	
	Tecton Products, LLC – NDD986267938		4-FY20	4-FY20	
	Trail King Industries Inc. - NDR000008003		4-FY20	4-FY20	
	Marathon Dickinson Refinery - NDR000011817		4-FY20	4-FY20	

VII. COMPLIANCE MONITORING (CONTINUED)					
Activity	**Facility – ID#**	**Lead Agency**	**Quarter Scheduled**	**Quarter Actual**	**Comments**
4. Small Quantity Generators/Very Small Quantity Generators (25 Facilities)		S			25% of SQGs were inspected based on 1-FY20 generator data. Impacts from COVID-19 led to some facilities temporarily or permanently closing, and inspections confirming closure were conducted by staff.
	Front Street Millwork Lumber, Inc.- Bismarck NDD980717755		4-FY20	4-FY20	
	Sherwin-Williams Store #3665- NDR000013854		4-FY20	4-FY20	
	Doosan Bobcat- NDD000322164		4-FY20	4-FY20	
	Solvay USA, Inc.- NDR000012211		4-FY20	4-FY20	
	Creedence Energy Services - NDR000013748		3-FY20	3-FY20	
	Basin Transload-Stampede Terminal - NDR000010371		4- FY20	4- FY20	
	Multi-Chem Group – NDR000009464		3- FY20	3- FY20	

VII. COMPLIANCE MONITORING (CONTINUED)					
Activity	**Facility – ID#**	**Lead Agency**	**Quarter Scheduled**	**Quarter Actual**	**Comments**
	Polar Service Centers - NDR000014571		4- FY20	4- FY20	
	Stanley LACT Station - NDR000013938		4- FY20	4- FY20	
	ADM Processing - NDR000008391		4- FY20	4- FY20	
	WBI Energy-Tioga Station - NDR000014522		3- FY20	3- FY20	
	Westlie Truck Center - NDD981541873		4- FY20	4- FY20	
	Albertsons#2028 - NDR000009407		3- FY20	3- FY20	
	Clinical Supplies Management Holdings, Inc - NDR000014506		4-FY20	4-FY20	
	DR Millwork DBA Braaten Cabinets, INC – NDR000002584		4-FY20	4-FY20	
	Northern Sun – ADM – NDR000000257		4-FY20	4-FY20	

VII. COMPLIANCE MONITORING (CONTINUED)					
Activity	**Facility – ID#**	**Lead Agency**	**Quarter Scheduled**	**Quarter Actual**	**Comments**
	Auto Repair and Fuels Systems – NDD986267805		4-FY20	4-FY20	
	Fargo Glass and Paint – ND0000966747		4-FY20	4-FY20	
	CE Diverse Energy Co. - NDR000009472		4-FY20	4-FY20	
	General Atomics Aeronautical - NDR000013672		4-FY20	4-FY20	
	Grand Forks Air Force Base – ND3571924759		4-FY20	4-FY20	
	Midwest Fabrication LLC – NDR000014837		4-FY20	4-FY20	
	Langdon Wind LLC – NDR00009605		4-FY20	4-FY20	
	Newman Signs – ND0000017756		4-FY20	4-FY20	
	Galvanizers Inc – NDD986271310		3-FY20	3-FY20	
5. EPA Oversight Inspections		E			No oversight inspections.

VIII. ENFORCEMENT					
Activity	**Facility – ID#**	**Lead Agency**	**Quarter Scheduled**	**Quarter Actual**	**Comments**
A. Formal Administrative Enforcement Actions	Kinder Morgan/WC Striegel Pasadena Pipeline - NDR000014456	S		4-FY20	Enforcement action completed with payment of assessed penalty.
B. Formal Judicial Enforcement Actions					
C. Compliance Assistance/Outreach					
D. Informal Enforcement Action (LOAN)					
1. Manifest Reviews	Various	S		2-FY20	2 Warning letters from manifest reviews
2. Biennial Reports	Various			3-FY20	44 LOAN letters from failure to submit 2019 Biennial Report
3. Financial Assurance Review	Various			3/4-FY20	5 LOAN letters from financial assurance reviews
4. Inspections				3/4-FY20	9 LOAN letters from inspections

IX. BUILDING STATE CAPABILITY, TECHNICAL ASSISTANCE, TRAINING					
Activity	**Facility – ID#**	**Lead Agency**	**Quarter Scheduled**	**Quarter Actual**	**Comments**
A. The following will be provided by EPA.		S/E			
1. RCRAInfo Training					As needed.
2. Other training as needed.					As needed.
B. Non-EPA trainings.					
1. ASTSWMO				4-FY20	Metabase Training – Pt 1
2. ASTSWMO				4-FY20	Metabase Training – Pt 2

X. OTHER ESSENTIAL DUTIES					
Activity	**Facility – ID#**	**Lead Agency**	**Quarter Scheduled**	**Quarter Actual**	**Comments**
A. Financial Assurance Reviews		S			The HWP and EPA have performed RCRA Subtitle C financial assurance file reviews which determined overall operator compliance with financial assurance requirements. The HWP will continue to monitor any identified concerns from the financial assurance reviews
	Tesoro Mandan Refinery - NDD006175467			3-FY20	
	Dakota Gasification Company - NDD000690594			3-FY20	
	Safety-Kleen (Bismarck) - NDD980957070			4-FY20	
	Safety-Kleen (Fargo) - NDD000716738			4-FY20	
	Flying J Petroleums – NDT390010049			4-FY20	
B. CERCLA Offsite Rule (OSR)					A regional policy of the OSR has been established as the basis for the Regional implementation for any sites in North Dakota. Any sites requiring implementation will coordinate with the NDDEQ.

X. OTHER ESSENTIAL DUTIES (CONTINUED)					
Activity	**Facility – ID#**	**Lead Agency**	**Quarter Scheduled**	**Quarter Actual**	**Comments**
C. Process RCRA activity notification and assign EPA ID numbers.					
1. Notification	Various	S	Ongoing	Ongoing	45 notifications processed.
2. Subsequent Notification	Various	S	Ongoing	Ongoing	55 notifications processed.
D. Environmental Incident Response (Assigned to HWP)					
1. Reported (Total)	Various	S	Ongoing	Ongoing	38 incidents reported.
a. Used oil		S			2 incidents reported.
b. Mineral oil (PCB & Non-PCB)		S			35 incidents involving electrical transformers or other mineral oil-containing devices.
c. Other		S			1 incident involving the release of an industrial acid.
2. Resolved	Various	S	Ongoing	Ongoing	15 incidents resolved.

X. OTHER ESSENTIAL DUTIES (CONTINUED)					
Activity	**Facility – ID#**	**Lead Agency**	**Quarter Scheduled**	**Quarter Actual**	**Comments**
E. State Received Complaints					Complaints received through state reporting, emails, phone calls, or other methods.
1. Improper disposal of paint waste.	Integrity Windows - NDR000006916	S		1-FY20	Resolved, no issue.
2. Used oil dumping.	Knife River	S		2-FY20	Resolved
3. Burning of waste.	Residual Materials - NDR000001735	S		3-FY20	Resolved, no RCRA issues identified. Referred to Division of Air Quality at the NDDEQ.
4. Improper disposal of process waters.	Galvanizers Inc – NDD986271310	S.		4-FY20	Resolved, no RCRA issues identified. Referred to Division of Water Quality at NDDEQ.
F. Record Review & Notable Documents					State reviewed corrective action, monitoring, investigation, and other reports.
1. 2019 ACM & MNAP Report	Tesoro Mandan Refinery - NDD006175467	S		2-FY20	Annual Corrective Measures Monitoring & Monitored Natural Attenuation Performance Monitoring Report. No issues.
2. Waste Minimization Report	Tesoro Mandan Refinery - NDD006175467	S		1-FY20	No issues.

X. OTHER ESSENTIAL DUTIES (CONTINUED)					
Activity	**Facility – ID#**	**Lead Agency**	**Quarter Scheduled**	**Quarter Actual**	**Comments**
3. Annual Waste Analysis Report	Tesoro Mandan Refinery - NDD006175467	S		1-FY20	No issues.
4. 2019 Annual Monitoring Report	Flying J Petroleums – NDT390010049	S		1-FY20	No issues.
5. Semiannual Groundwater Monitoring Report	Dakota Gasification Company - NDD000690594	S		FY20	No issues.
6. CMI Progress Report	Dakota Gasification Company - NDD000690594	S		FY20	No issues.
7. Waste Minimization Report	Dakota Gasification Company - NDD000690594	S		FY20	No issues.
8. Guidance on Facility Closure	Waste Recovery Services - NDD982591794	S		FY20	Issued by NDDEQ to assist with facility closure planning.
9. Draft Hazardous Waste Permit Renewal	Grand Forks Air Force Base - ND3571924759	S		FY20	Reviewed new draft permit for corrective action.
10. Draft 2019 Annual LTMR	Grand Forks Air Force Base (POL Unloading) - ND3571924759	S		FY20	No issues.
11. Draft 2019 Annual LTMR and Landfill Condition Report	Grand Forks Air Force Base (Landfill) - ND3571924759	S		FY20	No issues.

X. OTHER ESSENTIAL DUTIES (CONTINUED)					
Activity	**Facility – ID#**	**Lead Agency**	**Quarter Scheduled**	**Quarter Actual**	**Comments**
12. Draft 2019 LTMR	Grand Forks Air Force Base (Building 501) - ND3571924759	S		FY20	No issues.
13. Draft 2019 LTMR	Grand Forks Air Force Base (Building 539) - ND3571924759	S		FY20	No issues.
14. 2018 Draft CSE II Supplemental Report	Minot Air Force Base (Former Camp Laird Grenade Range) - ND4571924758	S		FY20	No issues.
15. Draft Final Record of Decision	Minot Air Force Base (Asphalt Crack Sealant Area) - ND4571924758	S		FY20	No issues.
16. Draft 2019 AMPR	Minot Air Force Base (Former Army/Air Force Exchange Service Station) - ND4571924758	S		FY20	No issues.
17. Draft 2019 AMPR	Minot Air Force Base (Hospital Building) - ND4571924758	S		FY20	No issues.
18. Draft Final Land Use Control Inspection	Minot Air Force Base (Old EOD Range) - ND4571924758	S		FY20	No issues.

X. OTHER ESSENTIAL DUTIES (CONTINUED)					
Activity	**Facility – ID#**	**Lead Agency**	**Quarter Scheduled**	**Quarter Actual**	**Comments**
19. Final Supplemental RCRA Facility Investigation Report	Minot Air Force Base (Building 20138) - ND4571924758			3-FY20	No issues.
20. Proposed Plan for Munitions Response Actions	Minot Air Force Base (Former Camp Laird Grenade Range GR321B)			2-FY20	No issues.
21. Draft Final Proposed Plan	Army – Williston Local Training Area			2-FY20	No issues.
22. 2019 Annual Report	Grand Forks Air Force Base (Land Treatment Permit 0344) - ND3571924759			2-FY20	No issues.
23. RCRA Facility Assessment Planning Document	Minot Air Force Base (Building 1107) - ND4571924758			4-FY20	No issues.
24. Final Record of Decision	Minot Air Force Base (Asphalt Crack Sealant Area) - ND4571924758			FY20	No issues.
25. Draft Remedial Action Work Plan	North Dakota Air National Guard (Site 11)			4-FY20	No issues.

PCB

TSCA/PCB COMPLIANCE
COOPERATIVE AGREEMENT OUTPUT PROJECTIONS AND ACCOMPLISHMENTS

Instructions: Projection portion of the form to be completed by State Agency and submitted with Application for Cooperative Agreement. Accomplishments to be reported Quarterly by State.

State: North Dakota | **Project Period: FY 2020**

Inspection Activities (By industry group)		Storage Handling	Disposal	Com'l Bldg.	Re-Inspect	Metals	Elect. Util.	Chem. Calls	Govt. Facility	Food Feed	Elect. Equip.	Scrap Salvage	Gen. Mfg.	Other	Total
Inspections Projected Per Quarter	1						1		2		1				4
	2						0		1				1	1	3
	3						1		2					1	4
	4						1		2						3
Total Inspections Projected For FY 2020							3		7		1		1	2	14
Inspections Conducted Per Quarter	1								1						1
	2													1	1
	3														0
	4						4		3			3		2	12
Total Inspections Conducted During October 2019 – September 2020							4		4			3		3	14

WATERSHED MANAGEMENT PROGRAM QUAL

#

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONE (DATE)	STATUS UPDATE
I. WATERSHED MANAGEMENT PROGRAM (previously Surface Water Quality Management Program)			
Environmental Goal: To maintain safe and clean water.			
A. Objective: Restore and improve water quality on a watershed basis using the watershed approach.			
1. Measure (SP-10) - Attain water quality standards for all pollutants and impairments in waterbodies identified in 2002 as not attaining water quality standards. (Note: A waterbody may meet this criteria for the following reasons: 1) waterbody no longer is impaired because of restoration activities; 2) waterbody is reassessed and is shown to meet water quality standards; 3) the original basis for the Section 303(d) listing was incorrect; 4) there has been a change in the water quality standards assessment methodology where the waterbody is now shown to meet water quality standards; 5) the waterbody was originally listed as threatened, but it continues to meet water quality standards and is no longer threatened; and 6) the water quality standard has been changed and the data now show it meets water quality standards.).	30 waterbodies (cumulative) by 2021	September 2021	Two projects to highlight include: Baldhill/Silver Creek and Upper Spring Creek (Dunn County)

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONE (DATE)	STATUS UPDATE
2. Measure (SP-12) - Improve water quality conditions in impaired sub-watersheds (12-digit hydrologic units) using the watershed approach. (Note: Improvement means that one or more of the waterbody impairment causes identified in 2002 are removed, as reflected in EPA-approved state assessments, for at least 40% of the impaired waterbodies or impaired stream miles/lake acres in the sub-watershed; OR there is significant watershed-wide improvement, as demonstrated by valid scientific information, in one or more water quality parameters or related indicators associated with the impairments.).	8 sub-watersheds (cumulative) by 2020	NA	SP-12 is no longer being reported and will be removed from future PPA updates.
a. Task - Identify and prioritize category 4A and 5 Section 303(d) listed waterbodies located within Section 319 watershed restoration project areas and/or National Water Quality Initiative sub-watersheds and implement targeted BMPs and monitoring.	BMP implementation in priority SP-12 sub-watersheds.	NA	
b. Task - Revise Section 319 Project Implementation Plans and associated Quality Assurance Project Plans to reflect targeted BMP implementation and monitoring in priority SP-12 sub-watersheds.	Revised PIPs and QAPPs	NA	

Programmatic Goal 1: To improve surface water quality monitoring and assessment programs.

A. Objective: Revise the state monitoring and assessment strategy which expired in 2019.

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONE (DATE)	STATUS UPDATE
1. Measure – Complete MAP self-assessment in collaboration with EPA utilizing the 10 Elements guidance and components of the MAP Evaluation Tool for Level 3 programs.	New EPA approved 10-year state monitoring strategy (2020-2030)	April 2021	In progress – milestone date changed.
2. Measure – Develop a new/revised draft 10-year monitoring strategy identifying a timeline NTE 10 years, strategy components, goals, annual milestones, technical issues, resource needs, interjurisdictional waters and plans to update strategy every 3-5 years.			In progress
3. Measure – Share draft with EPA for comments/approval.		April 2021	
4. Measure – Begin implementation of approved strategy.		June 2021	
5. Measure – Participate in National Aquatic Resource Surveys (NARS)	State wetlands assessment	2021	Planning underway
	State rivers and streams assessment	October 2019	Complete

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONE (DATE)	STATUS UPDATE
6. Measure - Prepare and submit required certification of implementation of state-scale probabilistic survey that meets 3 criteria:	State approval	Ongoing	
a. Task - The State is implementing a survey design that provides condition estimates for a population of waters (e.g., streams, rivers, lakes, wetlands) using a probabilistic survey.			2017 NLA Intensification complete
b. Task - The State is implementing a survey design that provides condition estimates for a population of waters (e.g., streams, rivers, lakes, wetlands) using a probabilistic survey.			2018-2019 NRSA Intensification complete
c. Task - The State reports the results of the state-scale surveys (i.e., state wetland condition assessment, state lakes assessment, state rivers and streams assessment) using ATTAINS.			Ongoing
7. Measure - Implement state water quality monitoring council to provide ongoing review of state strategy and make recommendations for program integration and implementation.	ND State Monitoring Coordinating Council	Ongoing	
a. Task - Plan and conduct annual council meetings.	Annual state monitoring council meetings	December 2019, 2020	Annual meetings
b. Task - Commence planning for 2020 ND Water Quality Monitoring Conference	Regular conference planning meetings	July 2019	2020 conference was planned for March but postponed due to Covid-19

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONE (DATE)	STATUS UPDATE
c. Task – 2020 ND Water Quality Monitoring Conference	2020 conference	March 2020	Postponed
8. Measure – (Performance Measure WQ – 7) – The US Environmental Protection Agency (EPA) and North Dakota continue best efforts to provide on time, electronic Integrated Report (IR) submittals by April 1, 2020 and April 1, 2022 and EPA action on state Clean Water Act (CWA) Section 303(d) lists (within 30 days of ND's submission). 2020 and 2022 IR submissions will continue to be submitted electronically to EPA via ATTAINS. ATTAINS holds the official submittal of the Clean Water Act section 303(d) list and associated EPA action, along with the 305(b) assessed waters information. EPA action applies to the 303(d) data contained in ATTAINS, and considers the narrative information attached to the state ATTAINS submission, along with other appropriate information. Effective management of state water quality assessment decisions based on statewide probability surveys and assessment unit level data are key to communicating water quality information to the public through conduits like How's My Waterway 2.0 2020: Cite 2020 guidance 2016: https://www.epa.gov/sites/production/files/2015-10/documents/2016-ir-memo-and-cover-memo-8_13_2015.pdf 2014: http://water.epa.gov/lawsregs/lawsguidance/cwa/tmdl/2014-memo.cfm 2012: http://water.epa.gov/lawsregs/lawsguidance/cwa/tmdl/ir_memo_2012.cfm 2010: http://water.epa.gov/lawsregs/lawsguidance/cwa/tmdl/final52009.cfm 2008: http://water.epa.gov/lawsregs/lawsguidance/cwa/tmdl/2008_ir_memorandum.cfm 2006: http://water.epa.gov/lawsregs/lawsguidance/cwa/tmdl/2006IRG_index.cfm	Joint 2020/2022 Integrated Report via ATTAINS	April 1, 2022	Milestone date changed due to joint 2020/2022 IR planned.
9. Measure – Prepare revised/updated assessment methodology prior to 2022 IR submittal.	Revised assessment methodology	Revisions, if necessary, completed by February 2022	Milestone dates changed

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONE (DATE)	STATUS UPDATE
a. Task – Meet with EPA to discuss revisions to assessment methodology	Updated assessment methodology	November 2019	Transitions and other priorities prevented this meeting
b. Task - Compile all existing and credible data and complete waterbody assessments and enter assessment information into ATTAINS.	Completed waterbody assessments and updated ATTAINS/GIS	January 2022	
c. Task - Share early rough draft IR, including ATTAINS, GIS, de-listing and category 4B documentation with EPA for early review.	Draft IR	February 2022	
d. Task - EPA comment on early draft IR.	EPA draft IR review and comment	Within 30 days of submittal	
e. Task - Revise draft IR and ATTAINS based on EPA comment and submit for public comment.	Draft IR for public comment	April 2022	
f. Task - Respond to public comments and revise IR as necessary.	Response to public comments	May-June 2022	

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONE (DATE)	STATUS UPDATE
g. Task - For the 2020/2022 IR, report all available state-wide statistical survey findings (e.g., wetlands condition assessment, lakes assessment, rivers and streams assessment) using ATTAINS	State-wide statistical survey results for wetlands, lakes and rivers and streams reported in ATTAINS	April 2022	
h. Task - Finalize and submit IR • Joint 2020/2022 IR submissions will be submitted electronically to EPA via ATTAINS • ATTAINS holds the official submittal of the Clean Water Act Section 303(d) list and associated EPA action, along with the Section 305(b) assessed waters information. • EPA action applies to the 303(d) data contained in ATTAINS, and considers the narrative information attached to the state ATTAINS submission, along with other appropriate information. • Effective management of state water quality assessment decisions based on statewide probability surveys and assessment unit level data are key to communicating water quality information to the public through conduits like How's My Waterway 2.0.	Final draft IR for submittal for EPA approval, including summary of response to public comments	July 2022	

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONE (DATE)	STATUS UPDATE
B. Objective: Collaborate on National Wetland Condition Assessment (NWCA) to provide scientifically valid information on the quality of the nation's wetlands and on the state's wetlands through sampling in 2021 through funding provided through the FY 2020 CWA Supplemental 106 Monitoring Initiative (M.I.) Grant.			Planning in process
1. Measure - Conduct sampling of North Dakota NWCA sites in 2021. Funding for NWCA and state intensification sampling and analysis is provided through the FY2020 Section 106 Supplemental Monitoring Initiative (MI) grant.			
a. Task - Sample 22 NWCA wetland site visits in 2021.	22 NWCA site visits	September 2021	
b. Task – Complete field data submittal and participate in NWCA Steering Committee conference calls.	Field data Steering committee conference calls	October 2021	
C. Objective: Collaborate on National Rivers and Streams Assessment (NRSA) to provide scientifically-valid information on the quality of the nation's rivers and streams and on the state's rivers and streams through sampling in 2018 and 2019 through funding provided through the FY 2017 and FY2018 CWA Supplemental 106 Monitoring Initiative (M.I.) Grant.			

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONE (DATE)	STATUS UPDATE
1. Measure - Conduct sampling of North Dakota NRSA sites and state intensification sites in 2018 and 2019. Funding for NRSA and state intensification sampling and analysis will be provided through the FY2017 and FY2018 Section 106 Supplemental Monitoring Initiative (MI) grant.	50 NRSA and intensification site visit samples	September 2019	Complete
a. Task - Sample NRSA and state intensification rivers and streams in 2018 and 2019.			Complete
b. Task – Complete field data submittal and participate in NRSA Steering Committee conference calls.			Complete
D. Objective: Maintain a statewide network of 82 level 1, 2 and 3 ambient river and stream chemical monitoring sites, respectively.			
1. Measure – Continue implementation of statewide ambient chemical river and stream monitoring network.			
a. Task - Collect water quality samples from 32-level 1 basin integrator sites river and stream sites 8 times per year, twice in April, once each in May, June, July, August, and October, and one time in the winter (January) under ice. Under the revised monitoring network, the Department will be responsible for sample collection at 20 of the 32 level 1 sites, while the USGS will collect samples at 11 sites. One site, the Souris River at Westhope will be sampled by Environment Canada. The Department will analyze all samples collected by the Department and the USGS. Funding for USGS level 1 site sample collection in 2019 is provided though the FY2018 Section 106 Supplemental MI grant. Funding for USGS level 1 site sample collection in 2020 will be provided though the FY2019 Section 106 Supplemental MI grant.	Level 1 ambient stream data	September 2020 and 2021	Ongoing and complete

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONE (DATE)	STATUS UPDATE
b. Task - Collect water quality samples from 25-level 2 river and stream sites 6 times per year, once each in April, May, June, August, and October, and one time in the winter (January) under ice. Under the revised monitoring network, the USGS will be responsible for sample collection at 22 of the 23 level 2 sites. The Department will be responsible for collecting samples at one (1) level 2 site, the Red River at Harwood. The North Dakota State Water Commission will provide general chemistry and trace element analysis of samples collected while the Department will provide nutrient analysis of all samples collected by the USGS.	Level 2 ambient stream data	September 2020 and 2021	Ongoing and complete
c. Task - Collect water quality samples from 25-level 3 river and stream sites 4 times per year, once each in April, June, August, and October. Under the revised monitoring network, the USGS will be responsible for sample collection at all 26 level 3 sites. The North Dakota State Water Commission will provide general chemistry and trace element analysis of samples collected while the Department will provide nutrient analysis of all samples collected by the USGS.	Level 3 ambient stream data	September 2020 and 2021	Ongoing and complete
E. Objective – Support the operation of two (2) real-time monitoring stations located on the Red River at Fargo and Grand Forks. These sites are operated by the USGS in cooperation with the Department, the Minnesota Pollution Control Agency, and the cities Grand Forks, East Grand Forks, Fargo, and Moorhead. Funding for the Department's share of the USGS coop funding in 2019 is provided though the FY2018 Section 106 Supplemental MI grant while 2020 coop funding is provided through FY2019 Section 106 Supplemental MI grant.	Real-time water quality monitoring data	September 2020 and 2021	Ongoing

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONE (DATE)	STATUS UPDATE
F. Objective: Maintain Lake Water Quality Assessment Program (LWQA) resulting in water quality and trophic status assessments by continuing to monitor and assess 20 lakes annually along with Lake Sakakawea and Devils Lake in 2020 and 2021.			Ongoing
1. Measure - Water quality data and trophic status assessments for Lake Sakakawea and Devils Lake. Funding for Devils Lake and Lake Sakakawea monitoring in 2020 and 2021 will be provided through the FY2019 Supplemental 106 MI grant.	Water quality data for 20 lakes/reservoirs annually along with Lake Sakakawea and Devils Lake	Sampling completed in October 2020 and 2021	2020 sampling complete
a. Task - In conjunction with the North Dakota Game and Fish Dept. sample Lake Sakakawea beginning in May through October 2020 and 2021.	Water quality data for Lake Sakakawea.	Sampling completed in September 2020 and 2021.	Sakakawea sampling has been coordinated by the NDGF and Army Corp of Eng.
b. Task - Sample Devils Lake 4 times per year in 2020 and 2021.	Water quality data for Devils Lake	September 2020 and 2021	Complete for 2020
c. Task - Analyze water quality data for Lake Sakakawea and Devils Lake and prepare trophic status and beneficial use assessments to be included in the joint 2020/2022 Integrated Report.	Water quality assessment data for Lake Sakakawea and Devils Lake	2022 IR schedule	Ongoing

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONE (DATE)	STATUS UPDATE
G. Objective: Continue Reference Site Monitoring Project to develop a network of reference and impaired sites for each level III Ecoregion to be used to support nutrient and clean sediment criteria development for rivers and streams and use attainment thresholds for Aquatic Life Uses (ALU) and Tiered Aquatic Life Uses (TALU). Funding for sampling, analysis and reporting provided through Supplemental 106 MI grant funds.	Workplan/ Approved QAPP	November 2020	Updated QAPP in December 2020
1. Measure - Multi-metric Indices of Biological Integrity use criteria and indicators developed to interpret data and results derived through probabilistic sampling designs for rivers and streams in ND, for watershed assessments, and for TALUs.	30 sets of samples in the Lake Agassiz Plain ecoregion	October 2020	20 sites visited in 2020. High water levels prevented us from visiting 30 sites.
a. Task – Develop/revise project-specific workplan/QAPP.	Analysis of data sets for 20 samples collected in 2016	QAPP updated December 2020	Ongoing
b. Task – Collect samples for fish, macroinvertebrates, chemistry and physical habitat at 30 sites (15 'reference' and 15 'impaired') in the Lake Agassiz Plain ecoregion of North Dakota.	Final reports	March 2021	20 sites visited (see above)
c. Task - Periphyton sample analysis.	Final reports	March 2021	Periphyton samples collected, will be analyzed if funds permit.

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONE (DATE)	STATUS UPDATE
d. Task - Perform data analysis and prepare final reports for the combined Northwestern Glaciated Plain and Northwestern Great Plain Level III ecoregions.			Ongoing
H. Objective: Institute standardized reporting requirements, including associated costs in the annual budget. All water quality data generated in accordance with an EPA approved Quality Assurance Project Plan will be transmitted into the Agency's Storage and Retrieval (STORET) data warehouse using either the Water Quality Exchange (WQX) or WQXweb. Water quality data that are appropriate for STORET include physical, chemical, and biological sample results for water, sediment and fish tissue. The data include toxicity data, microbiological data, and the metrics and indices generated from biological and habitat data. WQX is the water data schema associated with the EPA, State and Tribal Exchange Network. More information about WQX, WQXweb, and the STORET warehouse, including tutorials, can be found at http://www.epa.gov/storet/wqx/			
1. Measure - All chemical, biological and habitat data entered into WQX/STORET.	Data in SID	Ongoing	Ongoing
a. Task - Enter all sample station, sample custody and results data into SWQMP database (i.e., SID).	Data in EDAS	Ongoing	Ongoing
b. Task - Enter all sample station, biological and habitat data into EDAS database.	Data in WQX	Weekly through September 2021	Ongoing

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONE (DATE)	STATUS UPDATE
c. Task - Download data from SID and EDAS into WQX/STORET.			
Programmatic Goal 2: To restore the chemical, physical and biological integrity of the North Dakota's lakes, reservoirs, rivers, streams and wetlands so that water quality standards and beneficial uses are protected and maintained.			
A. Objective: Develop and implement a Basin Water Quality Management Framework to more effectively and efficiently implement water quality monitoring, assessment, TMDLs, and nonpoint and point source pollutant reduction efforts necessary to restore and protect the state's waters.	Basin management framework	Ongoing	Basin framework meetings on hold due to Covid-19
1. Measure – Develop Basin Water Quality Management Framework.			
2. Measure – Implement Basin Water Quality Management Framework in the Red River Basin (RRB) in North Dakota.	Red River Basin SAG and TAG	March 2021	
a. Task – Identify and organize Red River basin Stakeholder Advisory Group (SAG) and Technical Advisory Group (TAG).	Water quality inventory	February 2021	Advisory group meetings on hold due to Covid-19
b. Task – Inventory available water quality and other related information in the RRB.	Stakeholder meeting(s)	August 2021	Meetings on hold due to Covid-19
c. Task – Organize and conduct Red River basin stakeholder meeting(s) to share information and to identify water quality concerns, issues and problems in the basin.	Stakeholder meetings	August 2021	Meetings on hold due to Covid-19

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONE (DATE)	STATUS UPDATE
B. Objective: Develop a Recovery Potential Screening Tool (RPST) for North Dakota to be used to prioritize watersheds for water quality monitoring, assessment, TMDL and nonpoint source pollution reduction programs, projects and activities, including prioritization necessary for the implementation of the state nutrient reduction strategy.	State RPST	Ongoing	Ongoing - RPST will be used to develop the next TMDL Vision priorities.
1. Measure – Develop RPST for North Dakota to be used to prioritize sub-basins (i.e., 8-digit HUCs) statewide and to serve as a template for basin scale RSPTs.	Red River basin RPST	April 2021	Ongoing
2. Measure – Implement the RPST in the Red River basin in North Dakota to prioritize watersheds and sub-watersheds in the basin for monitoring, assessment, TMDL development and nonpoint source pollution reduction programs, projects and activities, including prioritization necessary for the implementation of the state nutrient reduction strategy.	FY2020 WQ-27 target FY2021 WQ-27 target	October 2020 October 2021	Staff turnover limited this activity.
C. Objective: Establish pollutant reduction targets and/or watershed restoration plans for impaired lakes, reservoirs, rivers and streams through the development of TMDLs or alternative watershed restoration plans.	TMDL prioritization strategy and targets for TMDL alternatives development in FY2020	December 2020	Swan Creek draft TMDL, Little Missouri River TMDL public comments received. Alt plan for Antelope Creek and Goodman Creek nearing completion.

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONE (DATE)	STATUS UPDATE
1. Measure (Performance Measure WQ-27) – Extent of priority areas (e.g., watersheds, sub-watershed, catchments) that are addressed by EPA-approved TMDLs or alternative watershed restoration plans for impaired waters that will achieve water quality standards.	TMDL prioritization strategy and targets for TMDL or alternatives development by 2022	October 2022	Behind on FY20 priority list but several documents nearing completion.
a. Task – Establish FY2020 and 2021 WQ-27 targets. The WQ-27 baseline is 22% of 2014 IR catchment areas with TMDLs or alternative plans in place. The Department commits to meeting the WQ-27 target, mutually agreed upon with EPA, when it is developed in October 2020 and the FY2020 WQ-27 target when it is developed in October 2020.	Candidate list of waterbody/ pollutant combinations targeted for TMDL development in FY2020	October 2020	2020 list in progress, 2021 priority list being developed
b. Task – As part of the basin management framework and using the statewide and basin specific Recovery Potential Screening Tools, develop a prioritization strategy and targets for TMDL or alternatives development in FY 2020 and 2021.	TMDLs or alternative plans to be completed in FY2020	September 2020	Ongoing
c. Task - As part of the basin management framework and using the statewide and basin specific Recovery Potential Screening Tools, develop a prioritization strategy and targets for TMDL or alternatives development to be completed by 2022.	Candidate list of waterbody/ pollutant combinations targeted for TMDL development in FY2021	October 2022	Ongoing

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONE (DATE)	STATUS UPDATE
d. Task - Submit a list of candidate TMDL waterbody/pollutant combinations to be completed in FY 2021 to EPA for review and approval.	TMDLs or alternative plans to be completed in FY2021	January 2021	In progress
e. Task - Develop and submit TMDLs or alternative restoration plans for approval in FY 2020.	~monthly calls/meetings with EPA	September 2020	New R8 TMDL coordinator now in place – regular calls will now take place.
f. Task - Submit a list of candidate TMDL waterbody/pollutant combinations to be completed in FY 2022 to EPA for review and approval.			In progress
g. Task - Develop and submit TMDLs or alternative restoration plans for approval in FY 2021.	TMDL priorities in joint 2020/2022 Integrated Report	April 1, 2022	Completed TMDLs/Alt Plans will be listed in joint 2020/2022 IR.
h. Task – Participate in ~monthly call or meeting with EPA to collaborate on: 1) development of the state's Section 303(d) Program Vision prioritization strategy; 2) the state's efforts to address other Section 303(d) Vision goals (i.e., public engagement, alternatives, assessment, integration); and 3) the state's progress in developing FY2020 and FY2021 TMDLs and/or TMDL alternatives.		As needed	Transitions at EPA & NDDEQ have resulted in limited calls

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONE (DATE)	STATUS UPDATE
2. Measure (TMDL development priorities) – For the joint 2020/2022 integrated reporting cycle and beyond, States review, systematically prioritize, and report priority watersheds or waters for restoration and protection in their biennial integrated reports to facilitate State strategic planning for achieving water quality goals.	FY2022 percent reported	September 2022	
a. Task – Develop priority lists of waters slated for near term (~2 year) TMDL development or alternative approaches; priority waters scheduled for likely TMDL development or alternative approaches over 2016 - 2022; priority waters awaiting management to protect their current condition from degradation; and/or the strategic rationale of the State in setting these priorities, which may include customized Vision Strategies. (2016).	TMDL priorities in joint 2020/2022 Integrated Report	April 2022	Ongoing
3. Measure (Performance Measure WQ-28 [optional]) – State-wide extent of activities leading to completed TMDLs or alternative restoration approaches for impaired waters, or protection approaches for unimpaired waters (i.e., healthy watersheds).			
a. Task – Report percentage meeting WQ-28 in FY2020 and 2021.			

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONE (DATE)	STATUS UPDATE
D. Objective: Implement watershed monitoring, assessment, restoration and TMDL activities through projects described in the Section 319 Nonpoint Source Control Workplan and the Section 604(b) Water Quality Management Workplan.	Section 319 and 604(b) workplan tasks	April 2021	604b projects include Bois de Sioux River e. coli, Spring Creek/Clausen Springs Assessment, Blacktail Dam WQ Assessment and Heart River Salinity projects.
1. Measure - Projects implemented through Section 319 and Section 604(b) grants to the state.			
a. Tasks associated with the Clean Water Act Section 319 Nonpoint Source Control workplan and the Section 604(b) Water Quality Management workplan are separate documents which can be obtained from the North Dakota Department of Environmental Quality's Division of Water Quality.		Ongoing	

SURFACE WATER QUALITY STANDARDS AND EIS

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GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONE (DATE)	STATUS UPDATE
I. Surface Water Quality Standards Development and Implementation			
Programmatic Goal: Develop, update and maintain water quality standards for the protection of waters of the state.			
A. Objective: Review state water quality standards and revise as necessary.			
a. Task – Initiate a triennial review of state water quality standards and propose revisions as necessary.	Revised Standards	January 2018	Completed
B. Objective: Implement state plan for the development of nutrient criteria.			
a. Task - Based on the schedule provided in the North Dakota Nutrient Criteria Development Plan and with input from the nutrient management plan stakeholder workgroup, develop draft narrative nutrient criteria for river, streams, lakes and reservoirs.	Narrative nutrient criteria	January 2018	Completed
b. Task - Based on the schedule provided in the North Dakota Nutrient Criteria Development Plan and with input from the nutrient management plan stakeholder workgroup, develop draft numeric nutrient criteria for Lake Sakakawea based on CE-QUAL-W2 model. These activities relate to PAM measures WQ-1a and WQ-26.	Draft nutrient criteria for Lake Sakakawea	Ongoing	Ongoing
C. Objective: Initiate triennial review of state water quality standards	Revised Standards	August 2019	Completed

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONE (DATE)	STATUS UPDATE
a. Task – Complete triennial review of state water quality standards.	Triennial Review	June 2021	Ongoing
II. Review all environmental impact statements, Section 404 permits and SWC sovereign land permits.			
For compliance with applicable State Water Quality Standards.		Ongoing	

NORTH DAKOTA POLLUTANT DISCHARGE ELIMINATION SYSTEM (NDPDES) PROGRAM

2020 NDPDES Annual Report

Staffing

The North Dakota Pollutant Discharge Elimination System Program (NDPDES) has twelve (12) full time positions assigned to the program, one is a manager position and 11 are supporting staff consisting of Environmental Scientists and Engineers. One of the 12 positions was added during the 2013 legislative session. The duties for all staff include permit writing, inspections, and enforcement. During Federal Fiscal Year (FFY) 2020 the program had three resignations. One of those positions remains open.

PERMITS

Permit Universe

Table 1.

Facilities at EOY 2020	Quantity
Major Facilities	23
Minor Facilities	416
Large CAFO's	84
Small/Medium AFOs	471
Stormwater Construction (Phase II)	458
Stormwater Construction (Phase I)	726
Stormwater Industrial (General)	271
Stormwater Industrial (Mining and extraction)	220
Pretreatment facilities	19
Pretreatment Programs	5
Phase II MS4 programs	19
Hydrostatic Testing/Dewatering	70
Pesticide application site notifications	47

Administratively Extended Permits

The NDPDES program administratively extended the following permits:

Table 2.

Extended Permits	Expiration Date	Reissuance Date
N/A		

General Permits

The department has the following general permits:

Table 3.

Type of Facility covered	General Permit Number	Quantity covered
Non-Major Dom. Wastewater stabilization ponds- Class I/IA waters	NDG12	57
Non-Major Dom. Wastewater stabilization ponds- Class II waters	NDG22	29
Non-Major Dom. Wastewater stabilization ponds - Class III waters	NDG32	194
Construction Stormwater	NDR10	1,184
Industrial Stormwater	NDR05	271
Mining, Extraction and Paving Material Stormwater	NDR32	220
Dewatering/Hydrostatic Testing	NDG07	70
Small MS4	NDR04	19
Pesticides	NDG87	47
Dom. Wastewater Package plants	NDG42	22
Water Treatment Plants	NDG52	18

PERMIT COMPLIANCE

Majors

During this reporting period, the following Major facilities were listed on the quarterly non-compliance report or had a discharge exceedance.

Table 4.

Facility	8 Digit HUC (Impaired)	Comments
American Crystal Sugar Drayton	09020311 (YES)	D90 Rpt-Non-Receipt of DMR/Schedule Report D80 RPT-Non-Receipt, Non-Monthly Average
American Crystal Sugar Hillsboro	09020107 (YES)	D90 Rpt-Non-Receipt of DMR/Schedule Report D80 RPT-Non-Receipt, Non-Monthly Average
Basin Electric Power – Leland Olds Station	10130101 (NO)	D80 RPT-Non-Receipt, Non-Monthly Average
Beulah City of	10130201 (YES)	D90 Rpt-Non-Receipt of DMR/Schedule Report D80 RPT-Non-Receipt, Non-Monthly Average
Bismarck City of	10130101 (NO)	C40 RPT-Non-Receipt of DMR/Schedule Report;
Dickinson City of	10130202 (YES)	C40 RPT-Non-Receipt of DMR/Schedule Report
Fargo City of	09020104 (YES)	E90 TRC – TRC Limitations Exceeded, Non-Monthly Average
Grand Forks City of	09020301 (YES)	D80 RPT-Non-Receipt, Non-Monthly Average;
Grafton City of	09020310 (YES)	D90 Rpt-Non-Receipt of DMR/Schedule Report D80 RPT-Non-Receipt, Non-Monthly Average
Minn Dak Farmers Cooperative	09020101 (YES)	D90 Rpt-Non-Receipt of DMR/Schedule Report D80 RPT-Non-Receipt, Non-Monthly Average
Minot City of	09010008 (NO)	D90 Rpt-Non-Receipt of DMR/Schedule Report
United States Air Force – Grand Forks	09020307 (NO)	C40 RPT-Non-Receipt of DMR/Schedule Report
United States Air Force – Minot	09010005 (NO)	D80 RPT-Non-Receipt, Non-Monthly Average
Valley City	09020204 (YES)	D90 Rpt-Non-Receipt of DMR/Schedule Report D80 RPT-Non-Receipt, Non-Monthly Average
Wahpeton City Of	09020101 (YES)	E0013 Reporting Violations – Improper/Incorrect Reporting
West Fargo	09020204 (YES)	D80 RPT-Non-Receipt, Non-Monthly Average;

Compliance Assistance

The NDPDES program routinely provides compliance assistance through a variety of channels. This includes one-on-one interactions as part of inspections or at the request of the permittees. The program is also involved in the wastewater operator training in the spring and the Water Pollution Control Conference in the fall. The program also provides regulatory education for events such as the Erosion and Sediment Control workshop, MS4 workshops, and other various stormwater venues, while providing on-line testing and septic servicing training for Septic Pumper permittees. Program staff routinely present at various meetings and provide education outreach for stakeholder groups. Above is the "business as usual", however Covid-19 caused many trainings to be canceled for the FFY20 season. Virtual trainings maybe implemented for the FFY21 season.

The NDPDES program also works with Midwest Assistance Program "MAP" to help small POTWs turn in paperwork or provide technical assistance so the facility may return to permit compliance.

INSPECTIONS

Inspections completed

Table 5.

Inspections FFY 2020	Quantity
Major Facilities	33
Minor Facilities	137
Large CAFO's	92
Small/Medium AFOs	59
Stormwater Construction (Phase II)	70
Stormwater Construction (Phase I)	76
Stormwater Industrial/No Exposure	47
Pretreatment inspections	15
Pretreatment Program inspection	1
Phase II MS4 program audit/inspection	3

Audits completed

Table 6.

Audits FFY 2020	Programs
Phase II MS4's	1
Pretreatment	1

Data management

The NDPDES program currently tracks data in our own database system. This system was most recently upgraded within the 2020 year as part of the process to batch upload to ICIS. New data flows to ICIS have been incorporated and will continue to be added as resources allow. The program has developed a Database Strategic Plan which details current and future database and data management needs.

The NDPDES program utilizes an E-reporting system which is designed to handle the most frequently submitted reports to the department. The E-reporting system is CROMERR compliant. The ERIS database currently allows DMR data to be uploaded to the data verification system before accepting the data to be transferred to the NDPDES database. About ninety percent (90%) of the required permitees have submitted a subscriber agreement. Approximately one hundred and twenty-one (121) permittees have qualified for a waiver from ERIS. The Implementation Plan was submitted to EPA for review and is now being implemented.

Enforcement

Enforcement actions listed below include actions initiated in FFY 2020 under NDPES authority and do not include other actions under state water pollution control authority. The program is working of resolved cases from previous years.

NAME	SUMMARY	NOV /ESA ISSUED	STATUS	COLLECTED
Benchmark Developments Case #20-057	Construction project started with no permit in place. Activity took place with no SWPP in place. Failed to maintain adequate site inspection and maintenance records.	NOV - May 27, 2020	Closed	$9,408.00
Plaza Associates, LLC Case #20-009	Construction project started with no permit in place.	ESA June 5, 2020	Closed	$744.00
Beulah, City of Case #20-007	Failure to submit DMRs and sample discharge in accordance with the permit for wastewater plant and the drinking water plant.	NOV – May 11, 2020	Active	$0.00
Horseshoe Bend, LLC Case #19-083	Unpermitted discharge of wastewater to waters of the state.	NOV – December 18, 2019	Active	$0.00

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONE (DATE)	STATUS UPDATE
NDPDES PROGRAM			
Maintain Core Program			
The North Dakota Department of Environmental Quality (NDDEQ) Water Quality Division shall fully implement and enforce its delegated NDPDES program (including, as appropriate, general permitting and pretreatment) as required by 40 C.F.R. Parts 122-124, 403, 501and 503, its delegation Memorandum of Agreement (MOA), Strategic Environmental Assessment (SEA), Inspection Plan, and any other agreements with EPA regarding program implementation. The PPA may specify goals and objectives for activities beyond the base level of performance, but, in no way, should this be interpreted as relief from full implementation of the base program.	Ongoing	As Needed	Continues
National Performance Activity Measures			
Number of follow up actions completed as result of a comprehensive assessment of NDPDES program integrity (WQ-11).	Written/Oral Report	Quarterly	Completed
Percentage of all non-tribal NDPDES permits that are considered current (WQ-12a).	Written/Oral Report	Bi-annually. Oct. 10th and April 10th	Completed
Number of facilities covered by individual or general permit under the following categories (reported separately) (WQ-13a-d). a. Number of municipal separate storm sewer systems (MS4s); b. Number of industrial stormwater facilities; c. Number of construction stormwater facilities; and d. Number of Confined Animal Feeding Operations (CAFOs)	Written/Oral Report	Bi-annually. Oct. 10th and April 10th	Completed
Number and percent of significant industrial users (SIUs) in Publicly Owned Treatment Works (POTWs) with Pretreatment Programs that have control mechanisms in place that implement applicable pretreatment requirements (WQ-14a).	Written/Oral Report	Annually. July 30th	Completed

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONE (DATE)	STATUS UPDATE
Number and percentage of categorical industrial users (CIUs) in non-pretreatment POTWs that have control mechanisms in place that implement applicable pretreatment requirements (WQ-14b).	Written/Oral Report	Annually. July 30th	Completed
Percent of major dischargers in significant noncompliance at any time during the fiscal year and number of impaired waters (WQ-15a).	Written/Oral Report	Bi-annually. Oct. 10th and April 10th	Completed
Number and national percentage of major POTWs that comply with permitted discharge standards (WQ-16).	Written/Oral Report	Bi-annually. Oct 10th and April 10th	Completed
Number and percentage of scheduled "high priority NPDES permits" that are issued in the fiscal year (WQ-19a).	Written/Oral Report	Bi-annually. Sept. 15th and March 15th	Completed
Implement the Stormwater Phase II Regulations - December 8, 1999, to the maximum extent possible. Specific commitments include: a. Provide information on compliance assistance activities and training conducted for permitted small MS4s.	Ongoing	As Needed	Continues
Involve regulatory agencies and the public as necessary to effectively permit stormwater discharges. a. The state program is accessible by the public and regulated entities (i.e., contact information, hotlines and web sites). b. Include EPA in the review process prior to issuing general permits for stormwater discharges and individual Phase I permits for MS4s). c. Track stormwater general permit coverage and provide data to EPA on regulated agencies consistent with national efforts for data management (e.g., WENDB/RIDE data elements within EPA's ICIS-NPDES database).	Ongoing	As Needed	Continues

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONE (DATE)	STATUS UPDATE
Implement Pretreatment Program including:			
a. Submit final Attorney General statement for the Pretreatment Rules which were incorporated into the ND regulations.			
1) An Attorney General statement outlining the authorities of the state program (40 CFR 123.62).		2020	Completed
2) Submit final package to the EPA for approval.		2020	Completed
b. Perform audits on all approved pretreatment programs at least once every five years.	Ongoing	Current FY	Continues
c. Identify CIUs, when feasible, in areas served by non-approved programs and develop appropriate control mechanisms and issue appropriate CIU permits.	Ongoing		Continues
d. Receive and appropriately evaluate annual reports submitted by local pretreatment programs.	Ongoing	Current FY	Continues
e. Provide annual WQ-14b data to the EPA Region 8 Pretreatment Coordinator.	Ongoing	March 28th	Continues
Implement the Unified National Strategy for Animal Feeding Operations - March 9, 1999 to the maximum extent possible. Specific commitments include:		October 15th	
a. For all permitted CAFOs, enter permit facility data, permit event data and inspection data into state livestock data base system and provide quarterly reports.	Quarterly		Continues
b. Implement the state's program to address all animal feeding operations that are impacting water quality. Provide progress on implementation to EPA.	Yearly		Continues
The State will submit NDDEQ's WET implementation policy and provide it to EPA for review.	Ongoing	2020	Continues

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONE (DATE)	STATUS UPDATE
Contract with health units for water pollution investigation assistance. 1. Southwestern District Health Unit 2. Custer District Health Unit 3. Lake Region District Health Unit 4. Fargo Community Health Unit 5. First District Health Unit 6. Upper Missouri District Health Unit 7. Central Valley Health Unit	7 – Contracts/Year	Annually starting 07/01 - 06/30	Contracts Issued
I. CWA – NPDES			
A. Clean Water Act Action Plan			
The State and EPA will work together to implement the Clean Water Act Action Plan. The State and EPA will conduct planning meetings including NPDES compliance and enforcement, permitting and water quality standard personnel to identify water quality issues of greatest concern for each state, and develop collaborative annual work plans to leverage both State and EPA resources to address these issues. An annual collaborative work plan will be developed prior to September 15 prior to each federal fiscal year (FY). The State and EPA will conduct quarterly meetings to discuss progress towards meeting annual permitting and enforcement commitments.	Ongoing	As Needed	Completed

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONE (DATE)	STATUS UPDATE
B. NPDES National and Regional Compliance Initiative			
In the FY 2018-2022 EPA Strategic Plan, the EPA identified a new priority to increase compliance with environmental laws. The *Reducing Significant Noncompliance with National Pollutant Discharge Elimination System Permits* National Compliance Initiative supports this priority. The EPA's goal is to increase compliance rates by reducing the rate of significant noncompliance (SNC) in the NPDES program by 50% by the end of FY 2022. In coordination with the State, EPA Region 8 may conduct up to 10 compliance evaluations of facilities in SNC annually and conduct any follow-up addressing action to gain compliance and deter future SNC. Additional compliance evaluations may be agreed to on a case-by-case basis.	Ongoing	As Needed	Continues
II. Municipal Wet Weather Infrastructure			
A. Sanitary Sewer Overflows (SSOs)			
• The state will continue to implement its draft SSO response plan. Enter SSOs into the state data base and ICIS-NPDES as single event violations in accordance with the ICIS-NPDES Policy Statement, its addendums, and 40 CFR 127. The state will provide a copy of the current SSO tracking system upon EPA request.	Ongoing	As Needed	Continues
B. Stormwater			
Priority of focus for stormwater inspections will be determined collaboratively each FY. The number of stormwater inspections the State conducts will be incorporated in the annual NPDES inspection plan which will identify the names of the targeted industrial facilities, where known, the geographic area targeted for construction inspections, and sector areas targeted. Priority will be given to conducting stormwater inspections at non-filers, where there is water quality degradation, and in response to citizen complaints.	See activity for inspection numbers. Written or Oral report.	Ongoing Enter in ICIS-NPDES or Hard Copies	Refer to table 5 Completed

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONE (DATE)	STATUS UPDATE
Stormwater inspections will be entered in ICIS-NPDES. Copies of all stormwater enforcement actions should be provided to EPA. EPA may request copies of stormwater inspection reports from the manual stormwater inspections reporting database.	Enter in ICIS-NPDES or Hard Copies	Provide copies of enforcement actions on 04/30 & 10/31	Continues
• The state will provide a copy of the current stormwater tracking system upon EPA request.	Permit Tracking List	As requested	Continues
C. Concentrated Animal Feeding Operations (CAFOs)			
• The State agrees to implement and update as necessary, based on the 2008 Final CAFO Rule and collaborative annual work plan, state specific CAFO compliance and enforcement strategies and conduct compliance assistance and enforcement as appropriate.			
• Region 8 agrees to share with the State any information gathered through national CAFO inventory efforts (i.e. satellite imagery, flyovers, inspections, and database reviews).	Ongoing	As Needed	Continues
• The State will inspect permitted CAFOs at least once during the life of its permit and all unpermitted large CAFOs at least once within the next 5 years to determine whether the facility discharges, and all medium AFOs at least once to determine if it is a medium CAFO and requires an NPDES permit.	Ongoing See Activity Section for inspections #s	As Requested	Refer to table 5

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONE (DATE)	STATUS UPDATE
• The State will consider using ICIS-NPDES for development of its CAFO inventory. The state will provide a copy of the current CAFO tracking system upon EPA request. NPDES permitted CAFOs shall be entered in ICIS-NPDES, as required by 40 CFR 127. CAFO data may be masked consistent with the EPA's CAFO Masking Projects: o Condition #1: Facility has a CAFO permit component; and o Condition #2: Facility does not have an active NPDES permit (have a permit type of "Unpermitted" or permit status of "Pending", "Not Needed", "Terminated", or "Retired"); and o Condition #3: Facility has never had any NPDES violations (Single-Event, DMR, Compliance Schedule, or Permit Schedule) or any formal NPDES enforcement actions.	Ongoing	As Needed and as requested	Refer to "Data Management" Section
• The State agrees to submitting copies of all CAFO enforcement actions to the Region 8 NPDES Enforcement Unit. EPA may request copies of CAFO inspection reports from the CAFO reporting database.	Ongoing	As Requested	Continues
• The state will continue to address animal feeding operations in a priority watershed identified in ND.	Ongoing	As Requested	Continues
III. Improve Transparency			
A. The State will ensure that the minimum data requirements identified in the ICIS-NPDES Policy Statement, its addendums, and 40 CFR 127 NPDES Electronic Reporting are tracked in ICIS-NPDES.	Ongoing	As Needed	Refer to "Data Management" section
B. EPA will pull inspection and enforcement information from the database at end-of-year. The State must enter all types of inspections in ICIS-NPDES within 40 days of the inspection (40 CFR 127).	Ongoing	End-of-Year	Continues
C. EPA encourages the State to use the Interim Wet Weather Significant Noncompliance Policy for violations associated with CSOs, SSOs, CAFOs, and stormwater.	Ongoing	As Needed	Continues

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONE (DATE)	STATUS UPDATE
IV. Federal Facilities			
Each FY, EPA Region 8 may perform inspections at all Federal Facility construction sites that have been awarded contract dollars for site construction. EPA will notify NDDEQ a minimum of two weeks prior to any proposed federal inspections unless an emergency situation exists that makes this advanced notice unachievable.	Ongoing	TBD	Continues
V. State/EPA NPDES Inspections			
• The State will submit a draft inspection plan for FY 21 (10/01– 09/30) by 08/07/20. The State will finalize the inspection plan two weeks after receiving formal comments from the EPA. When developing the annual State/EPA NPDES Inspection plan, the state will address national, regional and state priority areas and sectors which are appropriate to the state.	Draft Insp. Plan Final Insp. Plan	08/07/20 2 weeks after receiving comments from the EPA	Completed
• The State will submit a draft inspection plan for FY 22 (10/01 – 09/30) by 08/07/21. The State will finalize the inspection plan two weeks after receiving formal comments from the EPA. When developing the annual State/EPA NPDES Inspection plan, the state will address national, regional and state priority areas and sectors which are appropriate to the state.	Draft Insp. Plan Final Insp. Plan	08/07/21 2 weeks after receiving comments from the EPA	Continues

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONE (DATE)	STATUS UPDATE
• The State will maintain an effective inspection program in each of the water program areas. The State will continue implementing the EPA's 2014 "Clean Water Act National Pollutant Discharge Elimination System Compliance and Monitoring Strategy" in each FY. The inspection plan will clearly outline how it is complying with the provisions of the strategy, including a detailed description of how its inspection commitments for both the traditional NPDES core program and national enforcement initiatives will be allocated in each FY. The inspection plan will include the universe of facilities subject to each Compliance Monitoring Strategy metric and number of compliance monitoring activities planned for the year. Goals for numbers of inspections for the core programs and priority areas are identified in the Compliance Monitoring Strategy. If the inspection plan commitments do not meet the inspection goals listed in the Compliance Monitoring Strategy, the inspection plan will include adequate detail for EPA to understand: • The overall approach proposed, including the rationale for any deviations and tradeoffs; • A description of the affected regulated universe(s); and • An explanation of how the state has determined that the resulting reduced/modified attention at certain facilities will not have negative public health or environmental impacts.	ICIS-NPDES Entry 24 Major Facility Inspections	W/I 60 days of Inspection	Continues

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONE (DATE)	STATUS UPDATE
• EPA will conduct no more than 12 oversight or joint inspections in the state each FY unless additional inspections are agreed to by the state and EPA. These inspections will be conducted to support baseline and targeted oversight, the State Review Framework (SRF) review, National Compliance Initiatives, and/or state requests. The oversight inspections may be conducted by either 1) accompanying state inspectors during an inspection or 2) by EPA accompanied by the State conducting an inspection at the same facility at a later date to verify the state findings. EPA will target facilities for inspections with the state.	Oversight Inspections	TBD	Continues
VI. The State will submit to EPA copies of:			
• Final settlement agreements (or state equivalent to that document).	Ongoing	Upon request	Continues
• The state's penalty calculations including justifications for adjustments and economic benefit calculations for state enforcement actions concluded during the fiscal year.	Ongoing	Upon request	Continues
• A description of any supplemental environmental projects included in state enforcement actions concluded during the fiscal year.	Ongoing	Upon request	Continues
VII. 402/404 Enforcement Actions			
In the interest of maximizing resources, the state will agree to EPA being the lead enforcement agency on all 404 enforcement actions that have associated 402 violations, except where EPA determines combined cases may not be in the best interest of the litigation.	Ongoing	Upon request	Continues
VIII. Oversight			
• EPA will conduct data metric reviews in each FY to determine if violation trends are being addressed.	EPA Review	As Needed	Continues
• EPA will review inspection reports and other compliance reports to determine if Single Event Violation codes are entered into ICIS- NPDES.	Review Reports	As Needed	Continues

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONE (DATE)	STATUS UPDATE
• EPA and the state will discuss current compliance status of facilities for which ND has taken an enforcement action during quarterly calls to determine if the action brought the facility back into compliance.	Review Compliance Status	As Needed	Continues
• EPA may conduct file reviews of national enforcement initiative facilities to determine if violations are being escalated consistent with national enforcement policies.	Enforcement Initiatives	As Needed	Continues
• EPA will continue to conduct NPDES inspections in ND as listed above and take the lead for any enforcement follow up related to those inspections that it leads. EPA will provide four weeks advance notice of its intent to conduct inspections in North Dakota. The State has primacy/authorization for this program and EPA will discuss its intentions with North Dakota prior to taking the lead on enforcement follow up.	Inspections	As Needed	Continues
• The state will provide penalty calculations on potential enforcement actions to EPA to allow for real time review and feedback on enforcement cases. EPA will provide comments within 7 days of receipt.	Ongoing	Upon request	Continues
• EPA will designate two points of contact (one for enforcement issues and one for permits issues) that will receive reports required in the PPA. All requests for data or reports from within any part of EPA will come from one of the two points of contact. Other requests for data and information not contained in the PPA will be processed as time and staffing allows. • As resources allow, EPA may provide at least one staff person from the NPDES permitting unit and at least one from the NPDES Enforcement unit to attend or provide training in North Dakota each FY.			

GROUND WATER PROTECTION PROGRAM

FY2020 END OF YEAR REPORT - GROUNDWATER PROTECTION PROGRAM

The North Dakota Ground Water Protection Program focuses efforts on preventing contamination of ground water through programs designed to control potential sources of contamination. We also work towards restoration of ground water that has been impacted by a variety of contaminants. The degree to which contamination incidents are investigated or remediated depends upon the contaminant, its impact on the beneficial use of the resource and the overall risk to the public or the environment.

Wellhead and Source Water Protection Programs

The 1996 Amendments to the Safe Drinking Water Act established the Source Water Protection Program to serve as an umbrella of protection efforts for all public water systems, including groundwater and surface water dependent systems. Currently in North Dakota there are:

- Community Systems
  - 105 Groundwater (GW) dependent systems, serving approximately 189,000 people (25% of population)
  - 13 Surface Water (SW) dependent systems, serving approximately 251,000 people (33% of population)
  - 2 Groundwater Under the Direct Influence of Surface Water (GU) systems, serving approximately 82,000 people (11% of population)

- Non-Community Systems
  - 70 Non-Community systems, serving approximately 6,000 people (1% of population).
  - 6 Non-Transient Non-Community systems, serving approximately 1,000 people.

As consecutive water systems have expanded in North Dakota, the number of community water systems with independent water sources has decreased slightly as communities are added to water distribution systems. There are approximately 112 consecutive GW systems, 7 consecutive GU systems, and 83 consecutive SW systems serving a combined estimated population of approximately 227,000 (29%). During the reporting period, two non-community system went inactive or state regulated, three non-community systems went consecutive, one non-community system was activated, and two community systems went consecutive.

The Source Water Protection Program continues for independent surface and groundwater systems and includes the completion of a Source Water Assessment Plan (SWAP) report for each public water system. Each SWAP report includes (1) the delineation of the source water protection area, (2) the completion of a potential contaminant source inventory, and (3) the completion of a susceptibility analysis. These programs help the NDDEQ define the susceptibility of public water systems to potential contaminant sources found in their protection areas. Source Water Protection continues to work at the local level to enact the voluntary elements of the program.

Accomplishments

- Maintained 100 percent compliance with the Source Water Protection Program requirements.
- Provided technical reviews on oil-related activities, geothermal well drilling and other well projects involving Source Water Protection Areas (SWPA).

- Conducted public awareness and education meetings with community water systems to develop a proactive approach to safeguarding community drinking water supplies in line with the voluntary elements of the program.

- Worked closely with other state agencies to cohesively deal with any problems with multiple jurisdictions and keep up to date on source water protection at a national level.

- Provided new source water protection area delineations and new contaminant inventories and reports on community water systems that have installed new wells or deleted old wells. Many of the older systems are going through well replacement phases right now and an increase in demand of water has many systems installing new wells.

- Worked with public water systems and conducted field work to update contaminant source inventories within SWPAs.

- Provided outside agencies with information and maps pertaining to source water delineations for work planning and building purposes.

- Worked with the NRCS regarding new funding opportunities for Source Water protection through the 2018 Farm Bill. Have one ongoing NWQI project in Walsh county for the city of Park River's Source Water Protection. Grand Forks county and the Fordville aquifer are in ready status for another project on Source Water Protection

- NDDEQ Source Water Protection has two geodatabases; one for community and one for non-community source water protection areas. Having two geodatabases allows program staff to easily manage updates to the spatial data associated with the Source Water Protection Program. The rationale is that the community SWPAs affect a larger population, have potential zoning implications, and are potentially more static than the non-community systems. Delineations of Source Water Protection Areas are publicly available through the ND GIS Hub clearinghouse. Both the community and non-community are automatically updated every week, so the latest changes are available to the public.

Agricultural Ambient Groundwater Monitoring Program

The maintenance of a baseline description of ground water quality is an essential element of any statewide, comprehensive ground water protection program. In recent years, concern for the quality of the environment and drinking water has increased as many states have experienced ground water contamination from a variety of point and nonpoint sources of pollution. The goal of the Ambient Ground Water Monitoring Program (Agricultural Monitoring Program) is to provide an assessment of the quality of North Dakota's ground water resources with regards to agricultural chemical contamination.
Selected glacial drift aquifers have been monitored each year of the program since 1992 as part of the Agricultural Ambient Groundwater Monitoring Program. Approximately fifty aquifers considered most vulnerable to contamination are included in the program. Conducting the monitoring on five-year cycles, preferably using most of the same wells for sampling, provides a

temporal assessment of agricultural chemical occurrence in specific aquifers.

Accomplishments

- Collected samples from approximately 158 wells located in 15 aquifers for analysis of trace metals, general chemistry parameters, nitrates, pesticides, and herbicides.
- Began working on individual aquifer fact sheets summarizing general aquifer characteristics and all water quality data collected since the program was initiated.
- Began working on an ESRI story map site to display water quality data to the public and to house the aquifer fact sheets.
- The North Dakota Department of Environmental Quality, Division of Water Quality, has developed a system for prioritizing aquifers throughout the state, known as a Geographic Targeting System (GTS). The North Dakota State Water Commission has identified and named approximately 26 new aquifers since the last GTS effort was completed. The NDDEQ has started the process of assessing and prioritizing the newly identified aquifers. If warranted by the priority rankings, additional aquifers may be added to the Agricultural Monitoring Program.

Western Ambient Groundwater Monitoring Program

The North Dakota Department of Health initiated a Western Ambient Groundwater Monitoring Program in late November of 2013. This sampling program will monitor groundwater conditions in approximately 125 wells in 21 aquifers located within the oil producing areas of North Dakota. The goal of the Western Ambient Groundwater Program was to provide an assessment of the quality of North Dakota's groundwater resources with regard to potential oilfield contamination. Activities were focused within the Williston Basin area. Groundwater samples are currently analyzed for benzene, toluene, ethylbenzene, and xylenes (BTEX); diesel range organics; gasoline range organics; trace metals; nitrates and general water chemistry.

Accomplishments

- Collected samples from 86 wells in 12 aquifers in northwestern North Dakota.
- Began working on ways to make data available to the public. We are currently preparing fact sheets summarizing all groundwater quality data collected from each aquifer included in the sampling program. We are also exploring the use of interactive "story maps" that would be available on the NDDEQ's website.

Spill Reporting/Emergency Response/Environmental Investigation and Cleanup Program

Any spill or discharge of waste which may cause pollution of water of the state must be reported immediately. Some releases may require immediate response by trained emergency personnel. Other releases may require additional investigation beyond initial cleanup to determine full impacts to the environment.

Accomplishments

- During FY 2020 there were approximately 1,024 General and Oil Field incidents reported in the state. There were 315 General Incidents and 709 Oil Field incidents reported during this

timeframe. In comparison, our last year's end of year report indicated there were 1,318 General and Oil Field Incidents reported in the state, including 368 General Incidents and 950 Oil Field Incidents.

Facility Siting Evaluations

The Groundwater Protection Program conducts reviews of various site applications to assess the potential for groundwater contamination. Generally, these reviews fall under one of three categories: landfills, concentrated animal feeding operations (CAFOs), or general site reviews (e.g., oil or injection well pads, construction projects, railroad line abandonment, pipelines).

During the reporting period, program staff conducted 11 CAFO site reviews and 294 general site reviews.

Water Appropriation Permit Reviews

The Ground Water Protection Program reviews and provides comments on water appropriation applications received by the State Water Commission. Ground Water Protection Program staff reviewed 44 water appropriation applications during FY 2020.

UNDERGROUND INJECTION CONTROL PROGRAM

FY2020 END OF YEAR REPORT - UIC (1422) PROGRAM

Introduction

The Underground Injection Control (UIC) Program helps prevent contamination of underground sources of drinking water (USDW) by injection wells (i.e., domestic waste, industrial wastewater or motor vehicle waste disposal). There are six classes of underground injection wells, defined according to the types of fluid they inject and where the fluid is injected.

The Division of Water Quality regulates Class I, IV, and Class V underground injection wells. The Class I, IV, and V Underground Injection Control (UIC) Programs have been administered in accordance with UIC rules and program descriptions. Program activities have included administration of the program grant, permitting, surveillance and inspections, quality assurance, enforcement, data management, public participation, training, technical assistance and Class V assessment activities.

The inventory of UIC wells (classified as active, temporarily abandoned or inactive, or under construction) as of the end of Fiscal Year 2020 (FY 2020) includes eight Class I wells and 933 Class V injection wells of various subclasses.

Well Class	Quantity in Inventory (FY 2020)
Class I	Eight (8) wells
Class III	None
Class IV (hazardous shallow disposal systems)	None
Class V shallow disposal systems	933 wells, including 188 active motor vehicle waste disposal wells

Class I Program

Eight Class I injection wells are permitted at six facilities in North Dakota.

Great Plains Synfuels Plant

Basin Electric Power Cooperative owns two injection wells, operating under one facility permit at the Dakota Gasification Company (DGC) Great Plains Synfuels Plant located north of Beulah. The DGC Great Plains Synfuels Plant is designed to produce an average of 155,000,000 cubic feet per day of substitute natural gas, as well as many byproducts to the gasification process. The facility permit for the two Class I injection wells allows disposal of excess inorganic wastewater that cannot be reused in the plant. The wastewater consists of brine waste from the secondary water treatment system, excess blow-down from the low-pressure steam system,

reverse osmosis concentrate, fractionator bottom waste and water collected from an interceptor drain located near a permitted landfill.

Injection is into the Minnelusa and Kibbey formations in subsurface intervals from 5,836 to 5,954 feet and 6,624 to 6,669 feet for Well #1 and subsurface intervals from 5,800 to 6,043 feet and 6,587 to 6,737 feet for Well #2. The permitted injection interval is from the middle of the first upper most confining layer (5,670 feet) to the bottom of the well perforations at 6,800 feet. This zone is approximately 4,500 feet below the closest underground source of drinking water (USDW) referred to as the Fox Hills-Basal Hell Creek aquifer.

On September 24, 2019, an annulus pressure drop was observed in Well #2, and the well was shut in. The injection tubing was replaced, and mechanical integrity testing was conducted between November 19 (ultra-sonic imager corrosion log) and November 29 (annulus pressure test and temperature/pressure survey), 2019. Mechanical integrity testing demonstrated the integrity of the wellhead, well casing, injection tubing, seal assembly, and packer and verified the absence of fluid migration adjacent to the wellbore. The well was placed back into service on January 30, 2020.

On May 2, 2020, the annulus pressure in Well #1 began to increase at which time the pressure blew the rupture disk and the well was shut in. An inspection of the well identified a leak in the injection tubing. The well was repaired and NDDEQ personnel witnessed the annulus pressure test mechanical integrity test (MIT) that was conducted on June 23, 2020; the well passed the test. A temperature survey was conducted on June 25, 2020 and no evidence of fluid migration out of the injection interval was observed. The well was placed back into service on January 21, 2020.

Tesoro Mandan Refinery (owned by Marathon, former was owned by Andeavor)

A permit for two underground injection wells was issued to Tesoro Refining and Marketing Company's Mandan Refinery on September 24, 2004; the permit was renewed on August 18, 2015. The Tesoro Mandan Refinery processes raw crude oil to manufacture refined petroleum products such as gasoline, aviation fuel, diesel fuel, and propane liquids. The refinery processes approximately 60,000 barrels per day of primarily sweet (low sulfur) crude oil.

The facility has obtained an NDPDES permit for the discharge of their plant wastewater. Currently, the injection wells are not operating and have been placed on an inactive status. Marathon may utilize the wells in emergency situations and will continue all required testing to keep the wells in compliance with their permit.

The permit for the two Class I injection wells allows for the disposal of excess inorganic wastewater produced as a byproduct from a wet-gas scrubber controlling SO_2 emission in the stack gas from the CO-fired crude furnace. The wastewater consists primarily of water with minor chemical constituents, including sodium sulfite, sodium bisulfite, sodium sulfate, sodium bisulfate, sodium carbonate, and sodium bicarbonate.

Injection into Well #1 is into the middle to lower Lodgepole Limestone and Nisku Dolomite in

the interval from 5,120 to 6,144 feet, the Upper Lodgepole Limestone (5,094 to 5,108 feet), the Tilston Limestone (4,938 to 4,954 feet and 4,958 to 4,992 feet), and the Mission Canyon Limestone (4,790 to 4,900 feet). The uppermost perforated interval is approximately 4,470 feet below the closest underground source of drinking water, the Fox Hills Sand.

Injection into Well #2 is into the Kibbey Sand in the interval between 4,274 and 4,309 feet and the Minnelusa Sand in the interval from 3,795 to 3,959 feet. The uppermost perforated interval is approximately 3,245 feet below the closest underground source of drinking water, the Fox Hills Sand.

Injection Wells #1 and #2 are not being utilized; the UIC-permitted waste fluids are currently being discharged under an NDPDES Permit. The facility has elected to continue all required well testing to keep the permit active in case of an emergency which requires discharge into the injection wells.

The routine annual inspection of the injection wells was completed on August 11, 2020. No deficiencies were noted in either well.

Great River Energy Coal Creek Station

A permit for one injection well was issued to Great River Energy (GRE) on June 15, 2015 to inject non-hazardous plant process water at Great River Energy's Coal Creek Station located near Underwood. Injection into the well commenced on November 23, 2015. The waste stream includes plant process water that is currently held in on-site evaporation ponds. The wastewater consists primarily of water classified as magnesium/sodium sulfate type with total dissolved solids (TDS) averaging 17,000 milligrams per liter (mg/l).

Well #1 injects wastewater into the Inyan Kara Formation in the interval from 3,531 to 3,916 feet below ground surface (bgs). The Inyan Kara Formation is part of the Dakota Group, which also includes the Mowry, Newcastle, and Skull Creek Formations. While various terms have been used to describe this geologic unit, including the Lower Cretaceous aquifer, Inyan Kara Group, and Lakota Formation, it is generally acceptable to simply reference it as the "Dakota aquifer". The uppermost perforated injection interval in Well #1 is approximately 2,421 feet below the lowermost underground source of drinking water (USDW), the Fox Hills Sand.

The maximum permitted injection rate for Well #1 is 700 gallons per minute (gpm). The maximum permitted volume of injected fluids is 1.3×10^{10} gallons.

Mechanical integrity testing for Well #1 was conducted on October 17 and 18, 2019; testing consisted of an annular pressure test and a radioactive tracer test. The APT was witnessed by NDDEQ personnel. The MIT testing demonstrated that there was no significant leak in the casing, tubing, or packer and that there was no fluid movement adjacent to the well bore; consequently, the well passed MIT testing.

Prairie Disposal, LLC

A permit for one injection well was issued to Prairie Disposal LLC on May 21, 2018 to inject

non-hazardous treating plant waste fluids and landfill leachate into Well #1. The injection well is located at PDI's oilfield waste treating plant and landfill, which is approximately 20 miles south of Tioga, North Dakota.

The permitted waste stream consists of liquid wastes from PDI's oilfield exploration and production waste treating plant and leachate from the landfill. Both waste streams contain elevated concentrations of sodium, chloride, and total dissolved solids.

Well #1 injects wastewater into the Inyan Kara Formation in the interval from 4,947 to 5,002 feet below ground surface (bgs). The Inyan Kara Formation is part of the Dakota Group, which also includes the Mowry, Newcastle, and Skull Creek Formations. While various terms have been used to describe this geologic unit, including the Lower Cretaceous aquifer, Inyan Kara Group, and Lakota Formation, it is generally acceptable to simply reference it as the "Dakota aquifer". The uppermost perforated injection interval in Well #1 is approximately 3,600 feet below the lowermost underground source of drinking water (USDW), the Fox Hills Sand.

The maximum permitted injection rate for Well #1 is 164 gallons per minute (gpm). The maximum permitted volume of injected fluids is 2.153×10^9 gallons.

The routine annual inspection of the injection well was completed on July 8, 2020. No deficiencies were noted.

White Owl Energy Services, Inc.

A permit for one injection well was issued to White Owl Energy Series (US), Inc. (White Owl) on December 18, 2017 to inject non-hazardous treating plant waste fluids into Well #1, located at White Owl's oil field waste treating facility which is approximately 8 miles south of Alexander, North Dakota.

White Owl's permitted waste stream includes exempt and non-exempt industrial waste fluids, including produced water, flowback water, refinery wastewater, landfill leachate, oil terminal runoff, waste compressor fluids, and used and unused oil well fracturing fluids. The wastewater is expected to contain elevated levels of petroleum hydrocarbons, total dissolved solids, sulfate, sodium, and chloride

Well #1 injects wastewater into the Inyan Kara Formation in the interval from 5,653 to 6,097 feet below ground surface (bgs). The Inyan Kara Formation is part of the Dakota Group, which also includes the Mowry, Newcastle, and Skull Creek Formations. While various terms have been used to describe this geologic unit, including the Lower Cretaceous aquifer, Inyan Kara Group, and Lakota Formation, it is generally acceptable to simply reference it as the "Dakota aquifer". The uppermost perforated injection interval in Well #1 is approximately 3,676 feet below the lowermost underground source of drinking water (USDW), the Fox Hills Sand.

The maximum permitted injection rate for Well #1 is 175 gallons per minute (gpm). The maximum permitted volume of injected fluids is 9.2×10^8 gallons.

The NDDEQ issued a Notice of Violation on April 12, 2019 for the unauthorized injection of waste fluids characterized as hazardous. Approximately 105 barrels of wastewater considered hazardous by flashpoint analysis were injected on February 26, 2019; an additional 14 barrels were injected on February 28. White Owl notified the NDDEQ on March 1, 2019 that the unauthorized waste fluids had been injected into the well. The well was shut in until all fluids stored in the pre-injection tanks were removed. The well was subsequently brought back into compliance and injection into the well resumed.

An Administrative Consent Agreement (ACA) for the unauthorized injection was issued by the NDDEQ and included a fine of $5,578. The ACA was signed by White Owl on June 5, 2020 and by the NDDEQ on June 22, 2020. The administrative case has been closed.

White Owl performed an injection tubing inspection on April 9, 2020 in response to several instances where the maximum allowable injection tubing pressure was exceeded. A constriction in the injection tubing, due to bubbling of the internal pipe coating, was observed at a depth of approximately 4,200 feet. The injection tubing was removed from the well and new tubing was installed on April 10, 2020. Well MIT testing consisted of a temperature survey conducted on April 14, 2020 and an annular pressure test (APT) conducted on April 23, 2020; the APT test was witnessed by NDDEQ personnel. MIT testing demonstrated the mechanical integrity of the injection well and the well was subsequently placed back into service.

On August 14, 2019, White Owl submitted a request to increase the permitted injection from 1,650 psi to 1,875 psi to allow them to reach injection rates closer to the permitted rate. Initial APT testing conducted on June 4, 2018, before the well was initially placed into service, was conducted at a maximum pressure of 1,976 psi. As discussed above, NDDEQ witnessed an additional APT completed on April 23, 2020 at a test rate of 1,975 psi; the well passed MIT testing. The NDDEQ issued a public notice on June 24, 2020 announcing our intent to increase the permitted injection pressure from 1,650 psi to 1,875 psi. No public comments were received, and a revised permit was issued on August 6, 2020.

Secure Energy Services, USA, LLC

A permit for one commercial injection well was issued to Secure Energy Service USA, LLC (Secure Energy) on September 13, 2018 to inject non-hazardous treating plant waste fluids and non-hazardous commercial waste fluids into Well #1. The injection well is located at Secure Energy's Stanley Full Services Terminal, which is approximately 13 miles south of Stanley, North Dakota.

Injection into the well commenced on September 24, 2018. The waste stream includes exempt and non-exempt industrial waste fluids, including Class II produced water, flowback water, landfill leachate, refinery wastes, pipeline test water, waste compressor oil and blowdown, and boiler cleaning wastes. The wastewater is expected to contain elevated levels of petroleum hydrocarbons, total dissolved solids, sulfate, sodium, and chloride.

Well #1 injects wastewater into the Inyan Kara Formation in the interval from 5,090 to 5,378 feet below ground surface (bgs). The Inyan Kara Formation is part of the Dakota Group, which also includes the Mowry, Newcastle, and Skull Creek Formations. While various terms have been

used to describe this geologic unit, including the Lower Cretaceous aquifer, Inyan Kara Group, and Lakota Formation, it is generally acceptable to simply reference it as the "Dakota aquifer". The uppermost perforated injection interval in Well #1 is approximately 3,012 feet below the lowermost underground source of drinking water (USDW), the Fox Hills Sand.

The maximum permitted injection rate for Well #1 is 420 gallons per minute (gpm). The maximum permitted volume of injected fluids is $5.52x10^9$ gallons.

A routine annual inspection of the injection well was completed on September 24, 2020. No deficiencies were noted.

On October 29, 2019, Secure Energy notified the NDDEQ that 80 barrels of waste classified as a hazardous waste had been injected into the well. A Notice of Violation was issued by the NDDEQ on July 13, 2020 for the injection of 80 barrels of fluids classified as a hazardous waste. Analytical analysis of a random load sample indicated that the fluids did not pass the benzene criterion for hazardous waste classification. Additional enforcement activities are ongoing.

Class V Program

All Class V injection wells (shallow disposal systems) in North Dakota's inventory are permitted by rule. The Department may require the owner/operator of a Class V well authorized by rule to apply for and obtain an individual or area permit under certain cases. Currently, there are no permitted Class V injection wells in North Dakota.

Highlights of Class V inspection activities completed during the FY 2020 reporting period include the following:

- The Department inspected 28 potential waste disposal systems at 25 individual facilities to evaluate their waste disposal practices as they relate to UIC regulations. Fifteen of the facilities were determined to have a Class V injection well. Three facilities had more than one well, consequently, 18 wells were inspected during the reporting period.

- The 18 wells inspected included 5 septic systems (5F), 11 motor vehicle waste disposal wells (5K), 1 food processing waste well (5A20), and 1 drinking water treatment residual well (5A23).

- Sixteen (16) of the wells inspected were identified during the reporting period as a result of focused reconnaissance and site inventory mailing activities conducted in 2020. These wells included 5 septic systems (5F), 9 motor vehicle waste disposal wells (5K), 1 food processing waste well (5A20; under construction), and 1 drinking water treatment residual well (5A23; under construction).

- One Class V motor vehicle waste disposal well (MVWDW) was abandoned during the reporting period; this was a well that was identified during a previous reporting period. A second facility, also identified during a previous reporting period, had a system that received multiple waste streams; the system was classified as a MVWDW as the floor

drain in the shop was deemed to be the most endangering waste stream. The floor drain in the shop area was permanently closed and the well type was reclassified as an industrial waste disposal well.

- Six of the newly identified motor vehicle waste disposal wells are located within designated sensitive groundwater areas or within wellhead protection areas. The NDDEQ will work with the owners to close or permit these wells. One additional disposal well is located over an aquifer that was recently defined by the North Dakota State Water Commission (SWC) and was not included in NDDEQ's most recent aquifer sensitivity evaluation (completed in October 2019). The NDDEQ will work with the SWC to determine if the aquifer is considered a sensitive aquifer, which would require the well to be closed.

Sector Initiatives

The UIC program is participating in activities related to the Sector Initiatives, primarily the Automotive and Industrial sectors related to oil field activity in northwestern North Dakota. In FY 2020, a focused effort, consisting of a mailing campaign and area reconnaissance's, was conducted to identify facilities located within source water protection areas and designated sensitive groundwater areas. As a result, approximately 80 Site Inventory Forms were sent to identified businesses to determine their waste generation and disposal practices. The UIC Program continues to work with State-licensed sewer and water contractors regarding issues associated with Class V wells.

The UIC Program continues to coordinate well identification efforts with other state programs, including the Resource Conservation and Recovery Act (RCRA), Underground Storage Tank (UST) program, National Pollutant Discharge Elimination System (NPDES) program, and Wellhead/Source Water Protection Programs to identify activities which may threaten groundwater quality.

Additional Accomplishments

The NDDEQ routinely responds to general information requests from existing or potential facilities that are considering the underground injection of waste fluids. Potential waste streams include treated effluent from wastewater treatment facilities and fluids associated with oil field activity. Recent injection well inquiries have also been received from companies interested in permitting and operating nonhazardous and hazardous Class I wells injection wells, however, no new permit applications were received during the reporting period. Based on recent communication with industrial waste generators, the NDDEQ anticipates that two Class I injection well permit applications will be received in FY 2021.

PUBLIC WATER SUPPLY SUPERVISION

#

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONE (DATE)	STATUS UPDATE
Maintain an adequate state program and related enabling legislation so as to satisfy the requirements of federal statutes, regulations, policy, and guidance pertaining to States carrying out authorized federal programs.		Ongoing	Ongoing
Safe Drinking Water Information System (SDWIS) Guidance			
a. Ensure all enforcement actions are linked to violations in SDWIS.		As required	Ongoing
b. Ensure new regulatory violations are tracked and reported to SDWIS the quarter after occurrence. When draft guidance is issued, States should start working on implementing reporting requirements.		As necessary	Ongoing
c. Review violations for those which do not have a return to compliance designation and should. Identify and correct in SDWIS all violations which should have a return to compliance designation.		As necessary	Ongoing
d. Pursuant to SDWA guidance, ensure that all violations are entered the quarter following their occurrence.		As necessary	Ongoing
e. States should report compliance assistance visits on a quarterly basis to SDWIS (a new code under sanitary surveys). There is now a code for follow-up visits for formal enforcement that should be reported as they occur.		As necessary	Ongoing
f. The State will enter into SDWIS/STATE, the most recent sanitary survey date completed since January 1, 2004 for all Subpart H Community Water Systems which have received a survey consistent with the eight-part requirements of 40 CFR 142.16(b)(3) by December 31st.		By December 31st	Ongoing
g. In accordance with 40 CFR 142.15(a)(5), the State shall submit to the Region 8 Drinking Water Unit a list of all Subpart H Systems that have had a Sanitary Survey meeting the eight-part requirements of 40 CFR 142.16(b)(3) during each calendar year. The State may meet its obligation for such a list by entering the completion date of each required Subpart H System survey into SDWIS/STATE. The State shall submit to the Region 8 Drinking Water Program an evaluation of its program for conducting Subpart H System Sanitary Surveys in accordance with 40 CFR 142.16(b)(3) during each calendar year as required by 40 CFR 142.15(a)(5) by February 15, of each year. The State will have final discretion of the content of information included in the evaluation.		2/15/20 and 2/15/21	Ongoing

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONE (DATE)	STATUS UPDATE
h. Long Term 2 Surface Water Treatment Rule - No later than 8 months after the final system completes its second-round monitoring provide EPA the final determination on bin classifications for all pertinent systems.		Ongoing	Ongoing
Properly enter data into regional and national data systems, ensure that federally required data fields are kept current, and ensure that the data is entered accurately and pursuant to definitions and policy.		Ongoing	Ongoing
Safe Drinking Water Act/Microbial Rules			Ongoing
a. By November 15, of each year provide to EPA a list of all systems that are required to filter under the SWTR, but are not yet filtering. Additionally, report those violations to SDWIS-Fed. For those still on compliance schedules, provide the schedule from the enforcement document. If any systems are not under compliance schedules, for each system provide a rationale and the proposed state action and time frame for securing an enforceable compliance schedule.		As necessary	Ongoing
b. By November 15, of each year, identify and provide to the EPA any additional actions and the time frames for completing assessments of ground water under the influence of surface water, and the systems for which such assessments need to be completed.		As necessary	Ongoing
Safe Drinking Water Act/New Rules			Ongoing
If the state does not have primacy enforcement authority for any rules, the state will cooperate with EPA in identifying water systems and violations for which EPA may need to issue enforcement actions and submit primacy applications or apply for extensions before statutory deadlines, including adopting the Revised Total Coliform Rule prior to April 1, 2016.		As necessary Total Coliform Rule was adopted	
Safe Drinking Water Act/Enforcement			
a. Annotate the quarterly Enforcement Targeting Tool (ETT) list created by the new Enforcement Response Policy (ERP) by indicating the State actions planned for each identified priority ETT system, the projected time frame for such actions, and other relevant information that helps EPA evaluate candidates for federal enforcement. Return the annotated list to EPA within 30 days.			Ongoing
b. Address all priority ETT systems through formal enforcement or appropriate return to compliance within 6 months of their being identified as priorities with the goal of taking action before systems reach the priority status.			Ongoing

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONE (DATE)	STATUS UPDATE
c. State enforcement escalation policy: EPA encourages Region 8 states to consider updating their enforcement escalation policies to ensure that all violations receive a state response, and that enforcement priorities are addressed in a timely and appropriate manner.			
d. Provide EPA a copy of all settlement agreements, both administrative and judicial.		Ongoing	Ongoing
Safe Drinking Water Act/Enforcement Oversight			
a. Provide access to PWS files and data if EPA conducts Uniform Enforcement Oversight System Review.		As requested	Ongoing
b. Upload all enforcement actions and applicable return to compliance codes into SDWIS-Fed quarterly.		Ongoing	Ongoing
c. Additional State-specific language will be discussed during the negotiation of the Agreement, in accordance with the results of the enforcement program's Uniform Enforcement Oversight System or End of Year Report.			
Accept use of the new version of the Uniform Enforcement Oversight System for evaluating enforcement performance for FYs 20 and 21. Opportunity to reconcile national database information and to review a draft report of the assessment before it is finalized will be provided.		Ongoing	Ongoing
Ensure Community Water Systems are in compliance with existing health-based standards.		Ongoing	Ongoing
Continue to implement the Laboratory Certification program and QA/QC program.		Ongoing	Ongoing
Provide training on the new rules to water systems.		As necessary	Ongoing
Continue to implement the operator certification program.		Ongoing	Ongoing
Review tests and training to ensure inclusion of material on new rules and security.		Ongoing	Ongoing
Implement new SDWIS modules.		As necessary	Ongoing
Make files available for program data verification and assist with data verification.		As necessary	Ongoing
Make changes suggested in data verification, if and when necessary.		As requested	Ongoing

FY2020 END OF YEAR REPORT – PUBLIC WATER SUPPLY SUPERVISION PROGRAM

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONE (DATE)	STATUS UPDATE
Report all requested and required data in a timely and accurate manner.		As necessary	Ongoing
Review and update design requirements to ensure they reflect new security standards.		As necessary	Ongoing
Participate in an EPA Region 8 and state meeting to discuss PPA planning and other water issues if time schedules allow and the travel request is approved.		As necessary	Ongoing
Participate, when possible, in the regional monthly conference calls.		As necessary	Ongoing
Submit Annual Capacity Development Program Report to EPA by September 30th of each year.		By Sep 30th	
Submit a copy of triennial Governor's Report to EPA by September 30th every third year.		Every third year by Sep 30th	
Submit primacy applications or apply for extensions before statutory deadlines, including adopting new state regulations and receiving final EPA approval for the Revised Total Coliform Rule prior to April 1, 2016.		Completed by April 1, 2016	
Update Administrative Code regarding sanitary surveys during rule change for RTCR.		Completed	
Assist EPA Region 8 in meeting the goal to reduce health-based violations by 25% by 2022.			
When a voluntary partnership agreement is in place, the State will support EPA with the implementation of UCMR. Collaboration with the EPA will help ensure the UCMR program is effective and results in occurrence data that provides best available information on unregulated contaminants to support future decision making. Complete the key implementation activities committed to in the Partnership Agreement.		As necessary	
The State will strive to meet the following National Water Program Objectives during 2020 and 2021. We will reevaluate the projections in 2020.			
1. Strategic Target 2.1.1: Water Safe to Drink – Percent of the population served by community water system that receives drinking water that meets all applicable health-based drinking water standards through approaches including effective treatment and source water protection.	FY20 Target is 90%	100.00%	Ongoing
2. Strategic Target SP-1: Percent of community water systems that meet all applicable health-based standards, through approaches that include effective treatment and source water protection.	FY20 Target is 85%	99.4%	Ongoing

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONE (DATE)	STATUS UPDATE
3. Strategic Target SP-2: Percent of "person months" (i.e., all persons served by community water systems times 12 months) during which community water systems provide drinking water that meets all applicable health-based drinking water standards.	FY20 Target is 90%	99.8%	Ongoing
4. SDW-1a: Percent of community water systems that have undergone a sanitary survey within the past three years (5 years for outstanding performers) as required under the Interim Enhanced and Long-Term 1 Surface Water Treatment rules.	FY20 Target is 90%	94.9%	Ongoing

FY2018 – FY2019 MULTIPURPOSE PROGRAM

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONE (DATE)	STATUS UPDATE
I. FY2018-19 MULTIPURPOSE GRANT FUNDING The MPG funding will be used to support STAG funded eligible activity under the Air Pollution Control (CAA §105). The Division of Air Quality will enhance the monitoring of air quality with the purchase of equipment to replace aging Particulate Monitors and an aging Air Monitoring Shelter. Activities			
A. Purchase replacement Particulate Monitors for our aging fleet of ambient particulate monitors. Our current fleet of particulate monitors is comprised of "TEOM" PM10 monitors and "BAMM" PM 2.5 monitors. The TEOM Monitors have served the state for almost 20 years, and the BAMM's have been online for 15 years respectively. The BAMM samplers have been experiencing critical failures which at times is not repairable and results in lost data. Air Monitoring would propose upgrading to Teledyne T640 monitors that would replace both the TEOM and BAMM monitors with a single monitor that performs both measurements at the same time. We currently have 2 of the 10 sites running the T640, although EPA has a co-location requirement that needs to be met at one site if our number of sites exceeds 9. Hence requiring one site to contain a duplicate monitor. The new monitors will require the purchase of a new digital chart recorders. Our current fleet of chart recorders have been in service for 17 years and parts are no longer available. We have two issues with these old chart recorders. They do not communicate with the New T640 analyzers and secondly the card readers that store the data have begun to fail after 17 years of use. Note that the replacement parts needed are no longer available for these chart recorders.	As Necessary	December 2019	Ordering delay due to timing of MPG funds awarded. Four Particulate Monitors were ordered and delivered June 2020 & an additional Particulate Monitor was ordered Dec-20.

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONE (DATE)	STATUS UPDATE
B. Replace an aging air monitoring shelter with purpose-built shelter. Current fleet of monitoring shelters have been in place for close to 20 years. They had a life expectancy of 10 years. They have issues with insulation and leaking roofs, that need constant maintenance. We will replace a shelter with a new purpose-built shelter with a life expectancy of 30 plus years.	As Necessary	December 2020	Procurement completed Dec-20 & Order anticipated Dec-20 or Jan-21

FY2018 – FY2019 MULTIPURPOSE PROGRAM
ND DEPARTMENT OF AGRICULTURE

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONE (DATE)	STATUS UPDATE
I. FY2018-19 MULTIPURPOSE GRANT FUNDING The North Dakota Department of Agriculture notified EPA of their intentions to accept Multipurpose Funds. After discussion with ND Department of Agriculture and EPA, it was agreed that the NDDEQ will apply for the ND Department of Agriculture's Multipurpose funding on their behalf for the purpose of supporting services provided to the ND Department of Agriculture by the NDDEQ Division of Chemistry. The MPG funding will be used to support ND Department of Agriculture STAG funded eligible activity under Pesticide Cooperative Enforcement FIFRA §23 (a)(l).			
<u>Activities</u>			
A. The purchase of analytical standards that are necessary for the determination of pesticides in water and other matrices. Application on the Liquid Chromatograph/Mass Spectrometer/Mass Spectrometer (LCMSMS) are being developed with the expectation of analyzing water samples for the Department of Agriculture starting in the 2020 sampling season. Some of these standards may be applicable to the Department of Environmental Quality's Ag Ambient monitoring program. The cost of the standards is estimated to be $15,000/year. New standards will be needed in early 2020. These standards generally expire 1 year after the date of manufacture and will need to be purchased annually. MPG funding will purchase standards in FY2020 and FY2021.	As Necessary	December 2019	The FY2020 standards were purchased in May 2020 and anticipate the FY2021 standards to be purchase in March -May 2021

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONE (DATE)	STATUS UPDATE
B. Purchase consumable for the LCMSMS which include but are not limited to analytical columns, solvents, desolvation lines, and capillary accessories..	As Necessary	December 2020	Ongoing

FY2020 MULTIPURPOSE PROGRAM
ND DEPARTMENT OF AGRICULTURE

GOAL/MEASURE/ACTIVITY	OUTPUT/ OUTCOME	MILESTONE (DATE)	STATUS UPDATE
I. FY2020 MULTIPURPOSE GRANT FUNDING The North Dakota Department of Agriculture notified EPA of their intentions to accept Multipurpose Funds. After discussion with ND Department of Agriculture and EPA, it was agreed that the NDDEQ will apply for the ND Department of Agriculture's Multipurpose funding on their behalf for the purpose of supporting services provided to the ND Department of Agriculture by the NDDEQ Division of Chemistry. The MPG funding will be used to support ND Department of Agriculture STAG funded eligible activity under Pesticide Cooperative Enforcement FIFRA §23 (a)(1). <u>Activities</u>			
A. The NDDEQ will purchase an Automated Sample Extractor. The Automated Sample Extractor will be used to extract and concentrate water sample that are necessary for the determination of pesticides in water and other matrices. In addition, the Automated Sample Extractor would be used to prepare samples for PFOA/PFAS analyses on the Liquid Chromatograph/Mass Spectrometer/Mass Spectrometer (LCMSMS). The Automated Sample Extractor will also be used for several drinking water parameters of which the Division of Chemistry is certified by EPA Region VIII.	As Necessary	Purchase January to September 2021 after funds are awarded	Procurement completed, Purchase Requisition approved, and order placed December 2020.